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1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them. The list includes names such as "John Smith", "Mary Jones", and "Robert Brown", among others. The addresses are also listed, often including street names and city names.

2. The second part of the document is a large, dark, irregular shape that appears to be a smudge or a large ink blot. It is located in the lower-left corner of the page and partially obscures the text in the first part of the document.







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100th Congress
2d Session

COMMITTEE PRINT

RECORD ONLY

FOREIGN ASSISTANCE REPORTING REQUIREMENTS

REPORT

PREPARED FOR THE

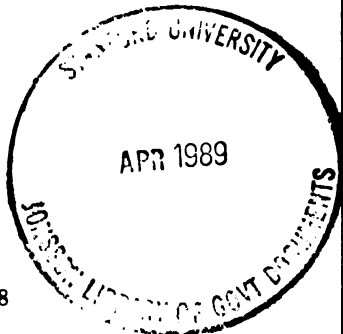
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

BY THE

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DECEMBER 1988



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FOREWORD

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 29, 1988.

In January 1988, I appointed a task force, headed by Hon. Lee H. Hamilton and Hon. Benjamin A. Gilman, to conduct a comprehensive bipartisan review of the U.S. foreign assistance program. This is the first major review of foreign aid since 1975. The task force and committee members have participated in a series of discussions with noted experts in the foreign assistance field. The views and comments of a wide range of participants in the foreign assistance process have been solicited, and extensive meetings have been held with representatives of the executive branch and with numerous nongovernmental groups.

The Congressional Research Service has ably assisted the committee with the review. In this instance, CRS was asked to assess foreign aid reporting requirements including how well the requirements are met, their cost and utilization. CRS was also asked for suggestions on deleting, combining and better utilizing the reporting requirements.

Members of Congress, the executive branch and the public should find this report of value for oversight and other purposes, because it identifies in one place important sources of information about our complex foreign aid efforts. It also categorizes and analyzes the reporting requirements by subgroups that represent vital elements of our foreign assistance program. The analyses and findings contained in this report are those of the Committee on Foreign Affairs and National Defense Division of the Congressional Research Service and, as such, they do not necessarily reflect the views of the Committee on Foreign Affairs or its Members.

DANTE B. FASCELL, *Chairman.*

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LETTER OF SUBMITTAL

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, DC, November 29, 1988.

Hon. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am pleased to transmit the attached report, "Foreign Assistance Reporting Requirements." It has been prepared in response to your letter of February 25, 1988, to assist with the review of the foreign aid program being undertaken by your committee. The study contains assessments of almost 300 reporting requirements relating to foreign assistance, plus analyses of the requirements in eleven subgroups and an overview of major findings.

Larry Q. Nowels, Specialist in Foreign Affairs, wrote the overview. Other analysts participating in the project include Vita Bite, Ellen C. Collier, Erin E. Day, Warren H. Donnelly, Susan Abbasi Fletcher, Lois McHugh, Raphael Perl, Jonathan Sanford, Robert D. Shuey, Curt Tarnoff, and James P. Wootten. Dianne Rennack, Technical Information Specialist, played an invaluable role in retrieving, using, and revising the computer records, as did Carolyn Hatcher who regularly has added new reporting requirements to the system when they were enacted.

Sincerely,

JOSEPH E. ROSS, *Director.*

Enclosure.

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INTRODUCTION

The reporting requirement system is widely viewed by Members of Congress as an important tool for obtaining information and overseeing executive branch activities. But the system requires an occasional review and assessment to determine whether the executive branch, on the one hand, is adequately responding to these requirements, and on the other hand, whether congressionally-mandated reporting requirements are still serving their intended purpose or have become repetitive, of marginal utility, or an unreasonable burden on the Administration.

This is the fifth review since 1970 of foreign policy-related reporting requirements undertaken by the Congressional Research Service (CRS).¹ The most recent study, based on assessments in 1986 and 1987, provides a comprehensive list of reporting requirements throughout the foreign affairs field and an overview of common problems in required reports.

¹ The others are:

U.S. Congress. Senate. Committee on Foreign Relations. Reporting Requirements in Legislation on Foreign Relations. (A Study of the Provisions of Law Requiring Reports to Congress in the Foreign Relations Field.) Prepared by the Foreign Affairs Division, Legislative Reference Service, Library of Congress. Committee print, February 1970. Washington, GPO, 1970. 53 p.

U.S. Congress. House. Committee on Foreign Affairs, and Senate, Committee on Foreign Relations. Required Reports to Congress in the Foreign Affairs Field. Prepared by the Foreign Affairs Division, Congressional Research Service, Library of Congress. Joint Committee Print, April 22, 1973. Washington, GPO, 1973, 425 p.

U.S. Congress. House. Committee on Foreign Affairs, and Senate, Committee on Foreign Relations. Improving the Reporting Requirement System in the Foreign Affairs Field. Prepared by the Foreign Affairs Division, Congressional Research Service, Library of Congress. Joint Committee Print, April 29, 1974. Washington, GPO, 1974, 104 p.

U.S. Congress. House. Committee on Foreign Affairs. Required Reports to Congress on Foreign Policy. Prepared by the Foreign Affairs and National Defense Division, Congressional Research Service, Library of Congress. Committee Print, August 1, 1988. Washington, GPO, 1988, 402 p.

This current report differs from previous studies in that it examines only those requirements that concern foreign assistance issues and focuses on congressional information needs in the foreign aid area. An assessment of the foreign assistance reporting requirements system seems particularly relevant at the present time because several congressional groups, as well as the executive branch and private organizations, are analyzing the overall foreign aid program and considering recommendations for its reform.

Scope and Methodology

Of the more than 600 foreign policy reporting requirements that exist, this study identified about 300 that concern foreign aid issues.² These requirements were organized into eleven subgroups and, together with any reports submitted, individually examined by a team of CRS analysts. Each report was assessed for its content, relevance to the issue, congressional interest, and other factors. These individual assessments are included as an appendix to this study. In addition, analysts prepared a summary for each of the eleven subgroups that identified key themes or problems associated with a particular foreign aid issue. These summaries are included as Part II of the report.

In order to gather a variety of perspectives on the reports, CRS analysts sought the comments and views of congressional and executive branch staff. Officials at the Defense Security Assistance Agency (DSAA) reviewed and commented on requirements that related to military assistance and arms transfer issues. Staff of the Agency for International Development (AID) not only expressed their views on reports prepared by the Agency, but also provided estimates of the dollar and manpower costs associated with many of the reports. AID also provided data concerning nonstatutory reporting requirements (not assessed in this study) that stem from congressional committee report language.

² Only those reports required by laws enacted prior to June 1988 are included, the exception being the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (P.L. 100-461; October 1, 1988) which is covered in this survey. Consequently, a few newly enacted foreign assistance reporting requirements, primarily those contained in the Trade and Competitiveness Act (P.L. 100-418) and the Omnibus Drug Act (H.R. 5210) do not appear in this study.

PART I. OVERVIEW AND MAJOR FINDINGS*

RESULTS OF THE SURVEY

Types of Reporting Requirements

In the area of foreign assistance, as well as in other subject areas, Congress requires three general types of reports: 1) notifications -- reports that advise Congress on executive branch actions, determinations, and other events, as they occur. Many notifications are linked with special Presidential authorities and inform Congress when the President exercises these provisions; 2) periodic reports -- information that is required on a continuing basis at regular intervals; and 3) one-time reports -- reports that are due only once. As Table I shows, most current requirements in the foreign aid field fall into the categories of notifications and periodic requirements. Of 288 requirements, over half (153) are required upon the occurrence of a specified event; another third (101) are of a recurring nature. The remaining thirty-four requirements call for one-time reports.

TABLE I -- ASSESSMENTS OF FOREIGN ASSISTANCE REPORTS

<u>Type of Report</u>	<u>Useful</u>	<u>Perhaps Modify</u>	<u>Perhaps Repeal</u>	<u>Fulfilled/ Out-of-date</u>	<u>Total</u>
Notification	77	45	18	13	153
Periodic	37	44	17	3	101
One-time	2	2	1	29	34
TOTAL	116	91	36	45	288

* Prepared by Larry Q. Nowels, Specialist in Foreign Affairs.

Assessments of Reporting Requirements

Table I summarizes the assessments of the individual reports found in the appendix. About one-third (116) of the foreign aid reporting requirements were found to be useful in their present form in providing Congress with appropriate information. Another large group of reports (91) were found, on the whole, to be useful, but in need of modification and, in some cases, consolidation with other existing reports. Thirty-six requirements, or about 18 percent of those surveyed, were found to be redundant, of low utility, or of little current interest and therefore, candidates for repeal. Another forty-five provisions were determined to be either out of date or one-time requirements that had been fulfilled.³ These too could be considered for repeal, although it would not contribute to a reduction in the reporting burden.

Based on these findings, the total number of foreign aid reporting requirements could be reduced substantially. By employing a series of options -- consolidation of similar reports into single documents, repeal of unnecessary or low-interest requirements, and removal from legislation of fulfilled or out-of-date provisions, these nearly 300 foreign assistance reporting provisions could be streamlined to a system containing about 150 requirements, or one-half of the current total.

Subject Focus of Foreign Assistance Reporting Requirements

Although reporting requirements touch on nearly all aspects of the U.S. foreign assistance programs, most of them fall within a few issue areas: development and food aid, military assistance and arms sales, multilateral development banks, international narcotics matters, and country-specific concerns. As Table II illustrates, the largest groupings of reports related to military assistance and arms sales and to issues in particular countries and regions. The country and regional group also contained more requirements that had been fulfilled, that were out of date, or that were found not to be particularly useful. The other major groups all included a large percentage

³ Most reports that fell in the out-of-date category were those contained in the International Security and Development Cooperation Act of 1985 (P.L. 99-83), a law that authorized foreign aid programs for FY 1986 and 1987. As such, the reports were often linked to events or actions that occurred in those fiscal years and the requirements did not continue into subsequent years. These out-of-date reports were included in the CRS review primarily because they were required in the most recently passed foreign aid authorization act and a number of them would have been enacted in identical or similar forms if H.R. 3100, or other foreign aid authorization bills for FY 1988 and 1989 had been approved.

of requirements that might be improved by modifying the requirement or, in some cases, consolidating a series of reports into a single provision.

TABLE II - ASSESSMENTS OF REPORTS BY SUBJECT AREA

	<u>Useful</u>	<u>Perhaps Modify</u>	<u>Perhaps Repeal</u>	<u>Fulfilled/ Out-of-date</u>	<u>Total</u>
General Foreign Aid Authorities & Funding	13	3	3	1	20
Development Aid Policy	7	16	2	4	29
Food Aid	11	11	5	2	29
Military Aid & Sales	26	21	7	2	56
Multilateral Development Banks	5	17	9	3	34
International Narcotics	6	9	1	10	26
Human Rights	11	3	0	0	14
Environment & Aid	4	0	1	3	8
Terrorism	8	5	0	1	14
Nuclear Proliferation	6	0	0	0	6
Country-Specific Issues	19	6	8	19	52
TOTAL	116	91	36	45	288

MAJOR FINDINGS AND OPTIONS FOR IMPROVING THE FOREIGN AID REPORTING SYSTEM

From this assessment of 288 individual reports emerged a series of major themes and findings. In some cases, these findings are general in nature and tend to apply to foreign aid requirements as a whole, while in other cases, they are more specific and unique to particular foreign aid issue areas. The general points are set out below while the specific findings are addressed in Part II of this report.

1. Policy Differences and Multiple Objectives Contribute to Proliferation of Reporting Requirements

The growing number of foreign aid reporting requirements is in large part the result of numerous policy differences between Congress and the Administration, and the congressional desire to verify that the executive branch is complying with legislated guidance and staying within the bounds of the authority granted. The executive branch regards many of the legislated restrictions and policy conditions -- frequently referred to as "barnacles" -- as inappropriate interference by Congress that impedes effective and flexible execution of foreign policy. Some officials have characterized the numerous policy and program guidelines and the numerous required reports as congressional "micromanagement" of U.S. foreign assistance.

In some areas, Congress has given the President broad discretionary authority and significant flexibility, but has attached detailed reporting requirements to these provisions so that it can oversee the Administration's use of these discretionary authorities. This pattern is particularly evident in provisions grouped under General Foreign Assistance Authorities and Funding and under Military Aid and Sales. The general purpose of such requirements is to inform Congress so that it can restrain or curb the Administration when its actions diverge from the congressional will. Several provisions include procedures for Congress to disapprove actions proposed by the Administration. When the Administration is given broad authority, officials generally consider oversight reports to be appropriate, but they object when the requirements result in what they consider excessive record creation and reporting.

In other areas, Congress has given explicit guidance or has established programs or policies that it wants to ensure are properly implemented. Several examples of such reports confirming implementation can be found in the sections on Development and Other Economic Assistance, Food Assistance, and International Financial Institutions.

Growth in the number of reporting requirements also results from linking foreign assistance with additional objectives. Sixty-eight reporting requirements are tied to congressional policy guidance or program authority regarding the relationship between foreign assistance programs in five broad policy areas: human rights, environmental protection, international terrorism, nuclear nonproliferation, and narcotics production and trafficking. These reports attempt to confirm that foreign assistance is not damaging the physical environment and is not benefiting countries that are violating prescribed standards in these policy areas.

Another factor contributing to the growth in foreign aid reports cited by some observers is the continuing inability of Congress and the executive branch to clearly define, focus, and prioritize foreign assistance policy objectives. New policy initiatives -- many accompanied by new reporting requirements -- tend to be layered on existing legislation forming an accumulation of goals that can blur the priorities intended by congressional or executive branch sponsors. As new policy directives grow without a corresponding modification of former provisions, both guidance and reports proliferate, while the focus of the programs is diminished.

Consequently, efforts to remove "barnacles" and to streamline foreign aid policy priorities would likely result in a significant reduction of foreign assistance reporting requirements.

2. Notification Reports are Generally Regarded as Useful and Appropriate

There is a wide consensus, both from a congressional and executive branch perspective, that notification-type reports serve a valuable congressional purpose in maintaining adequate oversight of administration policy and management of the foreign assistance program. Moreover, administration officials, for the most part, do not view such reports as an unreasonable burden, and frequently note the utility of these notifications, particularly when the President exercises a special authority granted by the Congress. Administration staff seemed to object to notification requirements largely when the reports repeat information required elsewhere or are inconsistent with notifications regarding similar issues. The notification report related to Economic Support Fund/cash transfer obligations (Title II of P.L. 100-461) -- information that presumably would have been provided in the AID Congressional Presentation Document or through the regular reprogramming process -- is an example of this concern.

Despite this general acceptance of most notification reports, one area related to the reprogramming of foreign aid funds remains a matter of contention. Congress and the executive branch have for many years disagreed

over the level of detail at which lawmakers need information concerning changes in country and project aid amounts and quantities of defense equipment transferred. Executive branch staff and members of the House and Senate Appropriations Committees undertook a major revision of the congressional notification system in late 1987,⁴ and while it is too early to evaluate the new system, most believe that it represents a major improvement. The Administration, of course, would prefer even further reductions in the number of reprogramming notifications it must submit each year.

When Congress grants the President new authority or approves a new program, it is reasonable to attach a notification requirement. In the case of reprogramming, the new system needs to be monitored closely. Further modifications might be determined through consultations between the executive branch and appropriate congressional committees.

In addition, the statutory provisions that define the reprogramming procedures could be substantially improved. The current practice is governed by both a provision contained in law (currently Sec. 523 of the Foreign Aid Appropriations for 1989) and report language in the Senate report for the FY 1988 foreign aid appropriations (S. Rept. 100-236, p. 47). In addition, a companion reprogramming requirement that exists in the Foreign Assistance Act of 1961 (sec. 634A) has not yet been modified and made consistent with the new arrangement worked out in 1987. This creates a confusing and inconsistent record of what precisely is required for reprogramming notifications. Congress might consider consolidating statutory and report language on this subject into a single provision and attaching it to future foreign aid authorizations and appropriations legislation.

3. One-Time Reports Serve a Variety of Purposes

One-time foreign assistance reports have increased in recent years and are sometimes costly to prepare. Agency officials complained about the time involved in preparing these reports and some restraint in adding new requirements might be appropriate. Nevertheless, many provide useful information on issues of special concern to Congress. Moreover, one-time reports are sometimes the result of a political compromise whereby lawmakers agree to "study" an issue rather than move forward with a new initiative. In these cases, adoption of the reporting requirement may avoid a legislative logjam and, from the executive branch standpoint, may be more desirable than the imposition of an unwanted policy requirement.

⁴ See the General Foreign Assistance Authorities and Funding summary for a detailed discussion of this system.

Beyond this, one-time reports in the foreign assistance area also serve other purposes. Requiring the executive branch to undertake a major study, in some cases, raises the priority of the subject within the agency itself and carries the discussion of the issue to a higher level than might otherwise occur. Several reports concerning environmental aspects of development were found to have achieved a congressional goal of elevating the issue to more senior agency staff and enhancing the access to these officials by outside environmental groups. In another case, AID commented that a one-time requirement to assess management practices in various AID/Washington offices was a helpful exercise that the agency plans to follow-up with similar studies in the future.

4. Periodic Reports Require Particular Attention

Many reports that are required on a regularly scheduled basis were found to be less than effective and are often considered candidates for modification and repeal. Of the 101 periodic requirements surveyed in this study, sixty-four were found to be in need of some revision or were of a questionable utility. The other thirty-six requirements were determined to be relatively valuable.

Of particular concern are a number of major annual foreign aid reports, including AID's Development Issues Report, the Treasury Department's National Advisory Council on International Monetary and Financial Policies Report (the NAC Report), and the submission on P.L. 480 food assistance.⁶ These reports present significant problems and are strong candidates for revision. They share three common flaws. First, they are submitted significantly after the deadline or after they would be most useful to Congress. Second, they lack required information. Third, they lack clear identification of the specific requirements being addressed. The AID report is submitted in a piecemeal fashion in various separate documents over a several-month period.

A number of factors contribute to problems related to periodic reports, and particularly to the annual "comprehensive" submissions cited above. First, many are due early in the calendar year when the executive branch is assembling and delivering to Congress the new budget justification materials. Consequently, these annual submissions compete with other reporting priorities that are deemed more important. In some cases, particularly when the Administration receives little congressional feedback, the reports are

⁶ These reports are required by the following provisions: Development Issues Report - Foreign Assistance Act of 1961, sec. 634; NAC Report - Bretton Woods Agreements Act, sec. 4(b); and Public Law 480 Report - P.L. 480, sec. 408(a).

perceived by executive branch officials to be of little interest and value to Congress and are relegated to an even lower level of priority. Moreover, many of these reports require extensive interagency consultation and coordination which delays their submission significantly. This seems to be a particular problem in the cases of the Development Issues and NAC Reports. Defense Department officials also argue that interagency coordination with the State Department is a major cause of the consistently late submission of the annual Security Assistance Congressional Presentation Document.⁶ Second, some of these reports also suffer from somewhat unclear legislative requirements that contribute to their inadequacy.

Two approaches for improving the utility of periodic reports might be considered. The first approach would be to identify specific information needed by Congress during its review of the new foreign assistance budget request and to consolidate such information in a single, widely distributed, and timely report. It appears that some of the comprehensive reports were specifically intended to fill such a need. For example, the Development Issues Report is due by February 15 of each year, a date that coincides with the approximate submission date of AID's budget justification document. Yet that report, and many like it, are submitted months later. Frequently, the Development Issues Report, the P.L. 480 Annual Report, and similar reports discuss many of the same topics covered in the budget presentations. This makes them a redundant burden on the executive branch.

The analysis of recurring reports suggests that a number of submissions could be consolidated into a few comprehensive reports and included as part of, or as an appendix to, the AID, State Department or Treasury Department Congressional Presentation Documents. A consolidated version of the Development Issues and P.L. 480 Reports could be attached to AID's submission. The NAC Report, a document routinely transmitted eight months into the calendar year, as well as other related information, could be included in Treasury's budget justification for the Multilateral Development Banks. In another area, a series of individual reports discussing international narcotics issues could be consolidated into a single document and submitted either with the State Department's International Narcotics Matters budget justification or the report due March 1 pursuant to section 481(e) of the Foreign Assistance Act of 1961. Such a consolidation and modification scheme could result in the merging of as many as forty reports into four single submissions.

⁶ For a number of years, various congressional committees have expressed displeasure over the tardiness of the security assistance justification. In 1988, Congress took the unusual action of stipulating in the FY 1989 Foreign Assistance Appropriations Act, that unless the security aid document was submitted on time for next year, the military assistance appropriation would be reduced by \$10 million (P.L. 100-461, sec. 575).

A consolidation of many of these reports would offer several advantages. Although the amount of information transferred might not be reduced, a consolidation effort would lessen the burden on the executive branch. Issues now discussed in both the congressional presentation documents and subsequent individual reports would be addressed only once, thereby avoiding redundancy and additional printing. From a user's standpoint, a single document would contain a comprehensive overview of foreign aid issues. If widely circulated, the information could become more readily available. Moreover, and perhaps more importantly, the information would arrive with the executive branch budget justification documents at the best possible time to assist Congress in its oversight of foreign assistance activities.

A consolidation effort by itself, however, would not necessarily result in the more timely submission of the reports. It is clear, particularly from the standpoint of AID, that the annual Congressional Presentation Documents (CPD) are the most time-consuming and costly submissions assembled for the Congress, and that any effort to speed up other reports would have to include a reduction in the burden associated with preparing the CPD. AID estimates that its CPD requires about 120 work-years and over \$9 million to assemble. Although this six- to seven-volume compendium responds to about 10 individual reporting requirements, the bulk of the CPD addresses general country and program justifications for the upcoming fiscal year. Numerous interviews with executive and legislative branch officials indicate that much of this general discussion now included in the CPD could be eliminated. AID writes extensively about its goals and objectives in specific countries, for example; yet much more substantive information regarding country programs already exists in AID internally generated publications, Country Development Strategy Statements (CDSS). If CDSS documents were made more accessible to congressional users, there would be less need to repeat such information in a summary fashion in the CPD. A number of potential areas for reduction and consolidation exist elsewhere in the CPD.

Beyond consolidation, a second approach to improving the utility of periodic reports might be to insure that reports concerning issues that are peripheral to the main focus are not consolidated within the comprehensive reports. In a number of cases, congressional and administration officials commented that some reports were valuable for the attention the documents brought to specific problems and issues, and were quite useful, in some cases, for public relations purposes, but should not be included in the comprehensive report discussing basic foreign aid issues. Several annual reports concerning the environmental aspects of development and child health activities were identified as documents that should stand on their own to highlight these issues and to permit wide dissemination among a large and interested community.

5. Executive Branch Agencies Regard Some Reports as Valuable But Caution on Costs

Despite the general perception that the Administration opposes reporting requirements, particularly those that require a large investment of time and cost, the survey found that the executive branch often regards many required reports as useful public relations documents that serve other agency needs. AID, for example, commented that reports such as the Global Assessment of Food Production and Needs (P.L. 480, sec. 408(b)), and the Proper Use of Chemicals in Foreign Aid (Foreign Aid Appropriations of 1988, sec. 537(j)) are good documents and serve a useful purpose. Agency officials also argue, however, that staff and financial resources are limited, and that the costs associated with the preparation of some reports outweigh the benefits. In commenting on the survey, AID estimated that it invests 127 staff-years, or 6.5 percent of the AID/Washington staff in the preparation of these reports. As noted above, the AID Congressional Presentation Document accounts for the overwhelming amount of this time.

When drafting new periodic or one-time reports, one possible option would be for congressional sponsors and administration officials to work closely together in developing the scope and content of the report so that it serves, to the maximum extent possible, the purposes of both branches of government. Making a report useful to the preparing agency, aside from its requirement for Congress, might promote a better quality document and improve the chances for its timely preparation.

Another option might be to set a due date that is more realistic and convenient from the standpoint of the Administration. One method would be to avoid, as much as possible, requiring new reports early in a calendar year when budget justification documents are in the final stages of preparation. Another method would be to readjust due dates for reports required prior to final passage of legislation. Although the due dates in the original bills may have been far in the future at the time of committee consideration or floor debate, they may fall too soon after final passage of the act. Thus, it might be important to carefully review and adjust the due dates of reporting requirements included in new legislation immediately prior to enactment, perhaps during conference committee negotiations.

6. Many Fulfilled and Out-of-Date Requirements Remain in Legislation

Of the 286 requirements reviewed, forty-five were identified as being out-of-date or having been fulfilled. Most of the out-of-date requirements were contained in the International Security and Development Cooperation Act of 1985 that, for the most part, applied to programs and funds for FY 1986 and 1987.

In order to update current foreign aid legislation, some feel that these fulfilled and out-of-date requirements should be repealed. Not only would this streamline and shorten existing statutes, but in this view, it would remove some out-dated concerns and focus foreign aid legislation more clearly on issues relevant to present policymaking. Others, however, oppose repeal of these provisions. They feel the requirements no longer present a burden to the executive branch and argue that their retention in law serves as an historical reminder that such reports were once prepared and may be pertinent to congressional debates in the future.

7. Nonstatutory Required Reports are a Major Concern to Administration Officials

Beyond the nearly 300 foreign aid legislatively-required reports assessed in this study, many more information requirements have been added by individual committees in their reports on foreign aid authorization and appropriation legislation. These nonstatutory-based reporting requirements are a growing concern to executive branch officials who believe that they represent a significant, but often overlooked reporting burden. AID, for example, estimates that in FY 1988 it invested seven staff-years and nearly \$750,000 in the preparation of twenty one-time and continuing requirements initiated by four different congressional sources.

Although this study did not review and assess these types of reports, it appears from interviews with a number of congressional and executive branch sources that some of these nonstatutory requirements are problematic. First, because a relatively small group within the Congress is aware of the requirement, a greater potential exists for adding overlapping and duplicative reports than in the case of those enacted into law. While legislatively-based requirements can be examined, debated, and modified during the legislative process so that a single requirement emerges on a particular issue, conceivably each of at least four committees could request similar but distinct reports independently as "report language" in their respective reports. This could increase the information burden on the executive branch without necessarily providing Congress with better information.

In addition, a number of useful nonstatutory reports are not circulated and read by a wide congressional audience, apparently because their existence is known only to the committee making the request. For example, such a report provides quarterly updates to the "Section 653 Report" (Foreign Assistance Act, 1961) regarding country allocation levels of foreign assistance. This quarterly report was requested by the House Foreign Affairs Committee in report language for H.R. 3100, a bill that passed the House but was never enacted. The report provides a very useful summary of changes in the distribution of foreign aid, but is virtually unknown to those outside the

Foreign Affairs Committee. The quarterly update was initiated outside the context of the major effort at the end of 1987 to improve and streamline a reprogramming notification system, and takes a somewhat different approach to overseeing country changes. (See discussion regarding the reprogramming process, above.)

Finally, it appears that some executive agencies are more responsive than others to nonstatutory requirements, and that a number of these reports are never submitted. For example, the House Appropriations Committee in its report for FY 1988 foreign aid programs directed the Administration to submit a study with the FY 1989 CPD detailing U.S. financial assistance to foreign governments that falls outside the foreign assistance account. Numerous attempts to obtain copies of this report were unsuccessful -- most officials that logically would have been involved in its preparation were unaware of the requirement. Apparently, the study was never written. AID, on the other hand, appears to take nonstatutory requirements seriously and considers itself one of the few Federal departments that responds to such information requests. Consequently, the agency, more than other executive departments, regards these reports as a problem.

One approach to addressing the question of nonstatutory reports might be for conference committees to examine at the final stage in the legislative process any new requirements that either House or Senate committee might have added in its respective reports, and to consider whether such information is still needed. The conference committee report might then make reference to these reports and provide guidance to the executive branch as to which studies remain a committee requirement. This would also serve the purpose of highlighting these requirements to a wider audience.

8. Awareness of Report Preparation Assignments Within Executive Branch Might Improve Quality and Timeliness of Reports

It is frequently difficult to identify exactly which office within a Federal agency prepared or was assigned to prepare a particular report. Such information would be useful to Members of Congress and their staff for a number of reasons. First, it would establish a contact point for congressional and administration staff to consult at a preliminary stage regarding a report's intended scope and content. This might make the report more useful to the congressional sponsor and reduce unnecessary work on the part of administration officials. Knowledge of the preparing office would also make it easier to monitor the report's progress and perhaps help ensure that the report was submitted on time. Finally, such information would allow recipients of a report to more easily contact the individuals who drafted the study and discuss the issues raised.

It appears that, at least in the case of AID, internal agency documents exist that, if shared with appropriate congressional committees, would provide such information. Following congressional action on foreign aid authorization and appropriations legislation -- both at the committee and conference report stages -- the AID General Counsel's office routinely drafts a memorandum that makes assignments within AID for preparing information and studies required by legislation or committee reports. Similar practices at other foreign affairs agencies and the subsequent submission to Congress of such memos might contribute significantly to Congress' ability to monitor and consult with pertinent administration officials during and after the preparation of reports.

PART II. ASSESSMENTS OF SELECTED GROUPINGS OF FOREIGN ASSISTANCE REPORTING REQUIREMENTS

Part II surveys the assessments of required reports in the following eleven groupings:

1. General Foreign Assistance Authorities and Funding
2. Development and Other Economic Aid Policy
3. Food Assistance
4. Military Assistance and Arms Sales
5. International Financial Institutions
6. International Narcotics Control
7. Human Rights
8. Environment and Foreign Aid
9. International Terrorism
10. Nuclear Nonproliferation
11. Country-Specific Requirements

Each section contains the major findings relating to that area and a list of all the reporting requirements included in the subgroup. An individual assessment of each requirement may be found in the appendix, arranged according to public law numbers.

1. GENERAL FOREIGN ASSISTANCE AUTHORITIES AND FUNDING*

Twenty reporting requirements provide Congress with general information about the foreign assistance program. For the most part, these submissions inform Congress how foreign aid monies are being spent or when the President is about to utilize a special foreign assistance authority or waiver. They include specific, and in some cases routine, notifications on such activities as the deobligation/reobligation and reprogramming of funds, the use of unvouchered and contingency monies and the exercise of waivers to permit aid to a communist country, to a country six months in debt arrearage to the United States, or to a country that has expropriated or nationalized U.S. property. They also include notices of the application of broad extraordinary Presidential waivers in cases that are important or vital to U.S. interests.

Fourteen notification requirements are, in general, regarded in both Congress and the executive branch as being appropriate and not an excessive reporting burden. Most officials agree that these provisions offer the President significant flexibility and discretionary authority in implementing foreign aid, and more broadly, foreign policy programs. There is a general consensus that Congress, in order to conduct adequate oversight of executive branch policies, needs this type of information in advance of Presidential action.

Disagreement continues, however, in a few cases -- in particular, the requirement concerning the reprogramming of funds. Congress and administration officials modified the reprogramming system beginning in FY 1988, and while it appears to signal an improvement, it is still early to make a complete assessment of the new mechanism. It is likely, however, that further refinements will be necessary in the future. (See attached assessment of Foreign Aid Reprogramming -- Section 523 of the Foreign Operations Appropriations Act, 1989 (P.L. 100-461) -- for a detailed discussion of this issue.) On another requirement concerning the transfer of funds between accounts (P.L. 100-202, sec. 514), Congress and the executive branch have disagreed for many years. Congress regards the provision as a "prior committee approval" requirement, as stipulated in annual foreign aid appropriations acts, while the Administration, due to "Constitutional concerns," views it as a "prior notification" exercise. This continuing dispute led Congress to remove for FY 1989 the President's authority to transfer funds between accounts, thereby obviating the need for any associated reporting requirement. This issue, however, is likely to arise in the future.

* Prepared by Larry Q. Nowels, Specialist in Foreign Affairs.

REPORTING REQUIREMENTS
 INCLUDED UNDER GENERAL FOREIGN ASSISTANCE AUTHORITIES AND FUNDING

Foreign Assistance Act, 1961

PL 87-195, sec. 451(a)(2) Use of Foreign Aid Contingency Funds	Promptly
PL 87-195, sec. 613(d) Interest Income on Foreign Currency Deposits: Waiver of Receipt	Upon determination upon receipt
PL 87-195, sec. 614(a)(1) Special Authority to Waive Prohibitions or Limitations on Furnishing Assistance--Important to National Security	Prior to exercising authority
PL 87-195, sec. 614(a)(2) Special Authority to Waive Prohibitions or Limitations on Furnishing Assistance--Vital to National Security	Prior to exercising authority
PL 87-195, sec. 614(c) Special Authority: Unvouchered Funds	Promptly on each use of funds
PL 87-195, sec. 620(a)(1) Expropriation of U.S. Property and Eligibility for Foreign Aid	Immediately
PL 87-195, sec. 620(f)(2) Provision of Assistance to Communist Country	Upon determination
PL 87-195, sec. 620(d) Loan Defaults by U.S. Aid Recipients	Upon occurrence
PL 87-195, sec. 620(s)(2) Defense Expenditures of U.S. Aid Recipients	Annually
PL 87-195, sec. 634A(a) Foreign Aid Program Changes	15 days in advance of obligation
PL 87-195, sec. 634A(c) Reprogramming of Funds in International Affairs Budget Function	Upon any reprogramming
PL 87-195, sec. 652 Special Authorities in Use of Foreign Aid Funds	Prior to exercising authority
PL 87-195, sec. 653(a) Country Allocations of Foreign Assistance Appropriations	30 days after enactment of law

REPORTING REQUIREMENTS

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International Development and Food Assistance Act, 1978

PL 95-424, sec. 603(a)(2)
Report of Debt Relief Agreements

30 days prior to entry into force of agreement

International Security and Development Cooperation Act, 1981

PL 99-83, sec. 1210
U.S. Assistance to Coal-Exporting Nations

Sept. 8, 1985

Foreign Operations Appropriations Act, 1988

PL 100-202, sec. 101(e), title V, sec. 514
Transfers of Funds Between Appropriations Accounts

Prior to event

Foreign Operations Appropriations Act, 1989

PL 100-461, sec. 101(e), title V, sec. 550
Prohibition Against Indirect Funding to Certain Countries

Prior to obligating funds

PL 100-461, sec. 515
Deobligation and Reobligation of Funds

15 days in advance

PL 100-461, sec. 523
Foreign Aid Re-programming

15 days in advance

PL 100-461, sec. 557
Debt Relief Agreements

30 days prior to entry into force

2. DEVELOPMENT AND OTHER ECONOMIC AID POLICY*

Congress currently requires twenty-nine reports on a wide range of development aid issues and other economic assistance programs, including the Economic Support Fund (ESF), aid to refugees, and U.S. voluntary contributions to international organizations. Thirteen of these reports are required on a periodic basis -- usually annually -- and provide information on the operations of a particular economic aid agency or program during the past year. Ten are notification requirements, while another six are one-time reports, five of which have been fulfilled.

The core annual report on development policy is required by Section 634 of the Foreign Assistance Act of 1961. It specifies twelve areas to be addressed in a single comprehensive submission on U.S. economic assistance, due to Congress on February 1 of each year as part of the Congressional Presentation Documents (CPD). In addition, several other reports required elsewhere in legislation are to be included in the Section 634 document.

On specific development and economic aid issues, reports cluster around a few key topics: the Overseas Private Investment Corporation (OPIC), refugee programs, and international organizations. Other requirements which produce fewer reports include matters such as the AID Inspector General, AID's Private Sector Initiative, ESF cash transfers, tied aid credits, and bilateral health programs.

Perhaps the most substantial modification effort in this category might focus on the core, Section 634 annual report. It is potentially a highly valuable requirement that various congressional committees could use extensively and effectively during the early stages -- February to May -- of their yearly review of the President's foreign assistance budget. Yet its utility is seriously undermined by a number of factors:

- 1) It is not submitted as one single document; rather, the information is transferred piecemeal as separate reports or as part of other general submissions, making it difficult to ascertain whether or not the Administration has complied with the requirement and where the information is available.
- 2) Its various pieces, except for those included in AID's Congressional Presentation Document, are consistently submitted

* Prepared by Larry Q. Nowels, Specialist in Foreign Affairs and Lois McHugh, Analyst in International Relations.

months late after the important stages of congressional budget review.

- 3) Some of the information required is not readily available.
- 4) Some parts of the requirement are of a special nature for which high visibility of the issues addressed is a particular objective.

Table 1 (attached) lists and comments on the major components of the Section 634 report and identifies where and when the information was submitted most recently. It also lists several requirements elsewhere in the legislation that direct the information to be included in the Section 634 report.

Possible modifications that might improve the current Section 634 report would be to (a) retain some of the existing provisions and consolidate them with other similar requirements, (b) make other provisions independent requirements for separate reports, and (c) repeal the remaining requirements. Table 2 (attached) lists one possible way in which a revised and consolidated Section 634 report might be organized. The revised report would be designed to contain information about the current status of U.S. economic aid programs that would best help Congress assess and evaluate the President's new budget and policy request. The requirement would draw from some of the existing Section 634 provisions and combine a series of other economic aid-related reports required throughout the Foreign Assistance Act of 1961.

This information could be consolidated and presented either as part of AID's Congressional Presentation Document (CPD) or as a separate document transmitted in early February. At the same time, the Congressional Presentation materials could be streamlined and reduced in size. The CPD is by far the most extensive document assembled by AID and requires an estimated 120 staff-years to prepare. It is used heavily by congressional recipients, but many in both branches believe that there is much in the CPD that could be eliminated.

Table 3 sets out those Section 634 provisions that might be required and submitted separately from the comprehensive annual report. Most of these provisions have as one objective to draw attention and provide high visibility to the issue. A few other reports in this table provide data of a historical nature not as important for congressional use early in the budget cycle. AID's Overseas Loans and Grants publication ("Greenbook"), for example, could be submitted a few months later and reduce the pressure to submit all reports early in the year.

Finally, Table 4 lists provisions in Section 634 that could be considered for repeal. These requirements are either redundant or are of little current interest.

Four reports that specifically concern OPIC were found to be useful. A one-time requirement concerning the impact of OPIC on U.S. employment (Section 240A(c) of the Foreign Assistance Act of 1961) touches on a particularly sensitive issue of high congressional interest, and consideration might be given to making this a periodic report.

Four provisions require information on migration and refugee assistance matters. Two of these -- reports on the use of refugee aid funds and the justification for replenishment of the Refugee Emergency Fund (Migration and Refugee Assistance Act, sections 2(d) and 2(c)(3), respectively) -- are addressed in the annual budget presentation to Congress. They provide such standard information that the material would likely be submitted even without a legislative requirement, so consideration might be given to repealing the requirement.

Five reports are required in the area of international organizations and U.S. foreign assistance. A number of problems surround these reports. One requirement (Section 527 of the Foreign Assistance Appropriations, 1989) includes information on voting practices of U.N. members and the extent to which such votes support U.S. policy. It is strongly supported and widely distributed by some Members of Congress. Others, however, regard the report's format as misleading or believe the report, by focusing only on the U.N. General Assembly and the Security Council, ignores some of the other information required in the legislation that would make it more useful to Congress.

A biennial report on U.S. voluntary contributions to U.N. agencies (Section 306(b)(1) of the Foreign Assistance Act of 1961) is potentially useful, but is incomplete and difficult to use. In regard to Section 307(b) of the 1961 Act, no report has been received on the amount of funds expended by U.N. voluntary agencies that benefit the PLO, SWAPO, Iran, Libya, and Cuba. The State Department indicates that the first report will contain data for FY 1985 and that it may be incomplete -- factors that will likely make the report less useful to Congress. Finally, Section 620(u) of the 1961 Act requires the Administration to inform Congress whenever a U.S. aid recipient falls into arrears in its contributions to the United Nations. No report has been submitted since 1979 although a number of countries receiving U.S. assistance have been or are in arrears to the United Nations.

Table 1

PRESENT COMPOSITION OF SECTION 634 REPORT

Information Required	Where Submitted	Date Submitted	Comments
1) Review of all economic aid programs	"Development Issues" rept (DCC rept)	Oct. 1988	Covers much of the information found in the CPD; contains interesting review of current major themes in aid program.
2) Value of all U.S. assistance, including contracts over \$100,000	CPD AID "Greenbook" Annex 2 of DCC rept AID contract rept	Feb. 1988 Sept. 1988 Oct. 1988 Apr. 1988	CPD contains current 3-year data; Greenbook provides historical data; annex 2 of DCC report repeats CPD data; contract report comes separately.
3) Repayments of AID loans	Annex 2 of DCC rept	Oct. 1988	Historical data; summarizes data from Treasury Dept report.
4) Status of PL 480/ Ex-im Bank credits	Treasury rept: "Status of Active Foreign Credits"	quarterly; 6-8 months after quarter	
5) Debt service capacity of aid recipients; any US debt relief; net US aid	Develop Issues rept Annex 2 of DCC rept	May 1987 Oct. 1988	Inconsistently reported; debt relief data not provided in current Development Issues report.
6) Total foreign aid provided by OECD and OPEC members	Annex 2 of DCC rept	Oct. 1988	Reports development aid (ODA) only - data on military aid not available.
7) Aid as % of GNP, budget, and per-capita of OECD and OPEC members	Annex 2 of DCC rept	Oct. 1988	Reports development aid (ODA) only - data on military aid not available.
8) Foreign currency payments	Annex 2 of DCC rept	Oct. 1988	Little continuing interest in this data; HR 3100 would have repealed.
9) DCC operations	DCC report	Oct. 1988	Very limited discussion on this topic.
10) Military aid provided for previous year	CPD	Feb. 1988	Information already required under (2) above.
11) Minority Resource Center	separate report	March 1988	
12) Other foreign aid info			
* Immunization and Oral Rehydration	separate report	March 1988	Required to be included in sec. 634 by sec. 305(b) of PL 99-83.
* Immunization activities	separate report	not submitted	Required to be included in sec. 634 by sec. 1112(b) of PL 99-190.
* Protection of Tropical Forests	separate report	March 1988	Required to be included in sec. 634 by sec. 118 of FA Act, 1961.
* Biological Diversity in LDCs	separate report	March 1988	Required to be included in sec. 634 by sec. 119 of FA Act, 1961.

Table 2

POSSIBLE MODIFICATION OF SECTION 634 REPORT

Information Required	Legal Requirement	Possible Modification
1) Review of all economic aid programs	Sec 634, FA Act, 61	Incorporate information into CPD overview; consider major modification of CPD contents.
2) Value of all U.S. assistance	Sec 634, FA Act, 61	"All-Spigots" table in CPD provides current data; keep Greenbook as a separate requirement due in May; include AID contracts in CPD.
5) Debt service capacity of aid recipients; any US debt relief; net US aid	Sec 634, FA Act, 61	Require listing of all debt reschedulings in past year for aid recipients.
6) Total foreign aid provided by OECD and OPEC members	Sec 634, FA Act, 61	Amend to require data for ODA only.
7) Aid as % of GNP, budget, and percapita of OECD and OPEC members	Sec 634, FA Act, 61	Amend to require data for official development aid (ODA) only.
* Private Sector Revolving Fund Activities	Sec 108, FA Act, 61	Annual report due Dec. 31
* Private Sector Revolving Fund new programs	Sec 108, FA Act, 61	Annual report to be included in CPD.
* Trade Credit Insurance Program	Sec 224, FA Act, 61	Semi-annual report from Ex-Im Bank; could become annual report.
* Title XII activities	Sec 300, FA Act, 61	Due April 1; currently discussed in CPD.
* Economic Support Fund	Sec 531, FA Act, 61	Annual report to be included in CPD.

Table 3

INDEPENDENT REPORTS FROM SECTION 634

Information Required	Legal Requirement	Possible Modification
2) Value of all U.S. assistance	Sec 634, FA Act, 61	Submit "Greenbook" as a separate report by May.
3) Repayments of AID loans	Sec 634, FA Act, 61	Historical data; include data in Greenbook or refer to Treasury Dept report.
4) Status of PL 480/ Ex-im Bank credits	Sec 634, FA Act, 61	Historical data; include data in Greenbook or refer to Treasury Dept report.
11) Minority Resource Center activities	Sec 634, FA Act, 61	Submit as separate report by May.
* Immunization and Oral Rehydration	Sec 305, PL 99-83	Combine with Immunization activities report and submit separately by May.
* Immunization activities	Sec 1112, PL 99-190	Combine with Immunization and Oral Rehydration report and submit separately by May.
* Protection of Tropical Forests in LDCs	Sec 118, FA Act, 61	Combine with Biological Diversity report and submit separately by May.
* Biological Diversity in LDCs	Sec 119, FA Act, 61	Combine with Tropical Forest report and submit separately by May.

Table 4

**SECTION 634 PROVISIONS THAT MIGHT BE CONSIDERED FOR
REPEAL**

Information Required	Legal Requirement	Possible Modification
8) Foreign currency payments	Sec 634, FA Act, 61	Consider repeal -- little interest.
9) DCC operations	Sec 634, FA Act, 61	Consider repeal -- DCC conducts very limited function.
10) Military aid provided for previous year	Sec 634, FA Act, 61	Consider repeal -- data already required.
12) Other foreign assistance information	Sec 634, FA Act, 61	Consider repeal or make requirement more specific.

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Economic Assistance Act, 1981

PL 87-195, sec. 108(g) Private Sector Revolving Fund	Annually, as part of congressional presentation
PL 87-195, sec. 108(h) Private Sector Revolving Fund --- Activities	Annually, by December 31
PL 87-195, sec. 123(e) Continuing AID-Funded Private Voluntary Assistance in Prohibited Countries	Not later than 1 year after prohibition becomes effective
PL 87-195, sec. 224(g) Trade Credit Insurance Credits Reports	Semiannually
PL 87-195, sec. 234(a)(4) OPIC Civil Strike Insurance	60 days prior to issuing or expanding insurance
PL 87-195, sec. 239(c) OPIC Audit Report	Within 6 1/2 months after end of fiscal year covered
PL 87-195, sec. 240(a) Overseas Private Investment Corporation Activities	Annually, end of Fiscal Year
PL 87-195, sec. 240(c) OPIC Effects on U.S. Employment	Sept. 30, 1986 (methodology);
PL 87-195, sec. 306(b)(1) Voluntary Contributions by the United States to International Organizations	Semiannually, July 1 and Jan. 1
PL 87-195, sec. 307(b) Report on U.N. Voluntary Agency Programs Benefitting SAPO, PLO, Libya, Iran, and Cuba	Annually (at least)
PL 87-195, sec. 531(c) ESF Funds	Annually, as part of congressional presentations
PL 87-195, sec. 620(u) Arrearages of United Nations Payments--Eligibility for U.S. Aid	Upon occurrence
PL 87-195, sec. 634(a) U.S. Economic Assistance, Annual Report	Annually, by Feb. 1

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Migration and Refugee Assistance Act, 1952

PL 87-510, sec. 2(c)(3)
U.S. Emergency Refugee and Migration Assistance Fund Whenever request is made for appropriation

PL 87-510, sec. 2(d)
Activities Authorized for Migration and Refugee Assistance Currently informed

International Security Assistance and Arms Export Control Act

PL 94-329, sec. 602
Small Business Participation in AID-financed Procurement Semiannually

International Security and Development Cooperation Act, 1981

PL 97-113, sec. 301(2)(B)
Infant Feeding Practices Annually, for FY83 and FY84 as part of congressional

International Security and Development Cooperation Act, 1985

PL 99-83, sec. 206
Tied Aid Credit Program Prior to the use of FY 1986 or FY 1987 funds for other purposes

PL 99-83, sec. 305(b)
Immunization and Oral Rehydration Annually, as part of 634 Foreign Assistance Report

PL 99-83, sec. 311(b)
Nongovernmental Organizations and Development Aid Sept. 30, 1986

Food Security Act, 1985

PL 99-198, sec. 1112(b)
Immunization Activities Include in annual report under sec. 634 of Foreign Assistance

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Comibus Diplomatic Security and Anti-Terrorism Act, 1988

PL 98-399, sec. 103(b)
Operating Expenses of the AID Inspector General within 30 days of denial

Immigration Reform and Control Act, 1988

PL 98-603, sec. 601(c)
Commission for the Study of International Migration and Cooperative Economic Development within three years of Commission appointment

Foreign Operations Appropriations Act, 1988

PL 100-202, sec. 101(e), title II
Foreign Affairs Administrative Support Report Apr. 15, 1988

Foreign Relations Authorization Act, FYs 1988-89

PL 100-204, sec. 904(d)
Indochinese Refugee Resettlement June 22, 1988

Foreign Operations Appropriations Act, 1989

PL 100-461, sec. 527
Voting Practices of United Nations Members Annually, by Jan. 31, or in Congressional Presentation,

PL 100-461, title II
Report on Cash Transfers 15 days prior to obligation

PL 100-461, title II
Tied Aid Credits 15 days in advance

PL 100-461, title IV
Limitation on Program Activity--Tied Aid Credits 15 days in advance

3. FOOD ASSISTANCE*

Many of the twenty-nine reporting requirements examined in the area of food assistance are contained in Public Law 480, the Agricultural Trade and Development Assistance Act, as amended. Since P.L. 480 was first passed in 1954, the operations and main focus of the legislation have changed. P.L. 480 has come to focus as much on development concerns and emergency food needs as on U.S. surplus agricultural crop disposal and market development activities. The broad range of activities encompassed by the legislation is reflected in the variety and number of requirements. Since 1985 there have been twelve new food aid reporting requirements, more than one third of the total food aid requirements identified. Most of these are related to the 1985 Food Security Act legislation.

By far the most heavily used reports are the P.L. 480 Annual Report and the semiannual programming status reports. All congressional staff members interviewed were aware of the Annual Report and all used it to some extent. Given its usefulness, it is notable that submission of the Report is habitually late, a point commented on by several staff members.

All congressional staff members interviewed felt that the quarterly programming status reports required by Section 408(b) were of great help in their current day-to-day work. The status reports were the most heavily used reports in the food aid area.

Another major annual report, "World Food Needs and Availabilities," also required by Section 408(b), was not heavily used by the congressional staff members interviewed. Those who were familiar with it spoke highly of it but did not regularly use it. The lack of use appears to be more a function of the nature of congressional staff work, with its demands for immediate responses on current issues, than any specific dissatisfaction with the report. The fact that the quarterly programming status reports were so heavily used appears to support this view.

Despite its apparent lack of use by congressional staff, "World Food Needs and Availabilities" is one of several publications which have achieved a utility entirely separate from its congressional reporting function. As a result of its broader audience, it has, in the view of one analyst, become institutionalized at the Department of Agriculture. Similarly, the annual agricultural attache reports contained in "Trade Policies and Market Opportunities for U.S. Farm Exports," required by Section 1132 of the Food Security Act of 1985, is

* Prepared by Ted Galdi, Specialist in International Political Economy, and Curt Tarnoff, Analyst in Foreign Affairs.

designed to respond also to needs of the Special Trade Representative and Agriculture Policy Advisory Committee needs.

Several required reports reflect congressional concerns which are no longer active. Reports required by Sections 104(3) and 104(4) of P.L. 480 regarding the grant of local currencies and the status of excess local currency countries have not been submitted to Congress recently because the amount of unallocated local currency is low and the number of excess local currency countries is declining. On the other hand, recently required annual reports on foreign currency proceeds used for monetization purposes under Title II of P.L. 480 reflect growing congressional interest in this area of food aid.

Some provisions of P.L. 480 require information only when specific congressional requirements have not been met. These include the five percent set-aside for market development (Sec. 104(b)(1)), programming not more than 25 percent of Title I food aid for non-IDA poverty criteria countries (Sec. 111), delivering legislated minimum quantities through private and voluntary organizations and the World Food Program (Sec. 201(b)), and waiving the requirements that relatively least developed countries make reports in exchange for receiving Title III aid (Sec. 304(c)). These reports have been submitted irregularly or not at all in the recent past.

It was often difficult to determine in a short period whether reports had been submitted in a timely manner or at all. Reasons for the difficulty include the irregular nature of the submissions, the absence of an executive department focal point for report production, and the lack of a predictable congressional depository for reports. Failure to submit a report may at times be encouraged by a perceived lack of strong congressional interest. One Department of Agriculture staff member commented that, except for the P.L. 480 annual report, there appeared to be no congressional feedback on any of the required reports. In fact, one report, on the recommendations of the National Advisory Commission on Agricultural Export Transportation Policy, was never submitted because the organization which Congress established failed to get underway.

While fourteen of the twenty-nine reports are either required upon the occurrence of a specific event or are one or two time submissions (many of which have now expired), fifteen are annual or periodic. Of the latter group, eight are related to P.L. 480 operations. It has been suggested that most of these and several Section 416 requirements as well could be combined into the annual P.L. 480 (or an annual food aid and development) report. If broadened and submitted on time (Feb. 15), the annual report would become an even more valuable document for use by Congress during its review early in the calendar year of the new budget and program proposal. In addition to making the information available in one place, such a report might be more likely to reach all congressional staff with a potential interest in the data. This could be particularly helpful on food aid issues, because of the dispersed committee responsibilities in this area.

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REPORTING REQUIREMENTS
INCLUDED UNDER FOOD ASSISTANCE

Merchant Marine Act, 1936

PL 74-835, sec. 901 h. (b)(2), (3) December 1986, December 1987 (final report)
National Advisory Commission on Agricultural Export Transportation Policy Report

Agricultural Act, 1949

PL 81-439, sec. 416(b)(9)(B) Feb. 15, 1987, and annually thereafter
Sales, Barter, and Use of Foreign Currency Proceeds in Sec. 416 of Agricultural Act of 1949

PL 81-439, sec. 416(d)(6) Nov. 30, 1987
Pilot Barter Program for Exchange of Agricultural Commodities for Strategic Materials

Agricultural Trade Development and Assistance Act, 1954

PL 83-480, sec. 103(d) Periodic
PL 480 Sales--Eligibility of Friendly Countries

PL 83-480, sec. 104(3) 30 days prior to agreement
Use of PL 480 Generated Foreign Currencies

PL 83-480, sec. 104(4) Upon determination
Excess PL 480 Foreign Currencies

PL 83-480, sec. 104(b)(1) 30 days prior to release
Agricultural Market Development with PL 480-Generated Foreign Currencies

PL 83-480, sec. 111 In each instance
Food Aid to Countries not Included in IDA's Poverty Criteria

PL 83-480, sec. 115(b) Annually
Commissions or Fees Paid by Suppliers of PL 480 Commodities

PL 83-480, sec. 201(b) Upon occurrence
Minimum Tonnage of Food Aid Distributed Through Private and Voluntary Organizations

PL 83-480, sec. 205(b) Feb. 15, 1988, annually thereafter
Sales, Barter, and Use of Foreign Currency Proceeds in PL 480

REPORTING REQUIREMENTS	CRS PRINTOUT DATE: 18NOV88
PL 83-480, sec. 302(c)(2) Food for Development Program--Insufficient Projects	Upon occurrence
PL 83-480, sec. 304(c) Food for Development Program and Relatively Least Developed Countries	Upon occurrence
PL 83-480, sec. 307(a) Review of Food For Development Agreements	Annually, as part of sec. 408(a) report (by Feb. 15)
PL 83-480, sec. 408(a) Annual Report on Public Law 480	Annually, by Feb. 15
PL 83-480, sec. 408(b) Global Assessment of Food Production and Needs and Planned Programming of Food Assistance	Annually, by Sept. 30; Planned programming semiannually
PL 83-480, sec. 408(c) Comparative Cross-Country Evaluation of PL 480 Programs	Oct. 1, 1978, and at 5-year intervals thereafter
PL 83-480, sec. 408(d) Regulations Governing PL 480 Title I	Biennially
<u>Foreign Assistance Act, 1981</u>	
PL 87-195, sec. 300 Annual Report of Activities Pursuant to Title XII of the Foreign Assistance Act	Annually, by April 1
<u>President's Emergency Food Assistance Act, 1984</u>	
PL 96-473, sec. 304 Emergency Food Assistance Fund	Annually, by December 31
<u>International Security and Development Cooperation Act, 1985</u>	
PL 96-83, sec. 1008 Long-Term Agricultural Commodity Agreements with Food Deficit Countries	June 1, 1988

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REPORTING REQUIREMENTS

Food Security Act, 1995

PL 99-198, sec. 1107(b)
Farmer-to-Farmer Program Plans

Apr. 23, 1986

PL 99-198, sec. 1110(j)
Agreements and Progress Under Food for Progress Act

Within 90 days after end of fiscal year when agreement concluded

PL 99-198, sec. 1113(a)(9)
Global Analysis of World Food Needs and Target Countries

Each year through 1990

PL 99-198, sec. 1123
Agricultural Trade Consultations

July 1, 1986, and annually thereafter until FY 1990

PL 99-198, sec. 1132
Agricultural Attache Reports

Annually

PL 99-198, sec. 1162
Assessment of Export Displacement

Dec. 23, 1986, and then regularly

Agricultural Aid and Trade Missions Act, 1988

PL 100-202, sec 157, sec 4
Agricultural Aid and Trade Mission Reports

Aug. 8, 1988 (8 countries); Feb. 12, 1989 (8 additional)

PL 100-202, sec 157, sec 5
Progress Reports of Aid and Trade Missions

Dec. 1988-1990, quarterly

4. MILITARY ASSISTANCE AND ARMS SALES*

Congress has enacted fifty-six reporting requirements concerning military aid and sales, not counting those reports that focus on specific countries, reprogramming of assistance, or on policy issues of human rights, terrorism, nuclear proliferation, or narcotics, which are reviewed in other sections of this report.

Congress uses this large number of requirements to allow itself opportunities to review individual decisions of the Administration regarding arms transfers and military assistance and to gather data for broad oversight of the programs. There are relatively few policy guidelines in law to instruct the Administration on what types of military assistance and sales to conduct and what types it should not conduct. Instead, Congress has granted the Administration broad authority to conduct these programs, subject to congressional review of many individual decisions.

Contingent Reports

Congress requires reports on specified actions and proposals so that it can conduct case-by-case reviews. Of the fifty-six reports discussed here, forty-three are triggered by the plans or actions of the executive branch or the occurrence of specified events. Of the forty-three, only five are likely candidates for repeal¹ because they are obsolete or unnecessary and not being used, or because they could be incorporated into other requirements. The CRS assessments indicate that modifications might be considered for eighteen more of these forty-three contingent requirements. Eight could be combined with other requirements; three could be expanded to apply to commercial sales as well as government sales; two could be clarified; and technical changes could usefully be made to five others. For example, a report on grants of excess defense articles (P.L. 91-672, sec. 8(d)) could be considered for repeal because the Administration no longer provides such articles on a grant basis, or it could be combined with two other requirements for information on sales of excess defense articles.

One of the few reports that are tied to a congressional policy statement requires the President to report if he determines that it is important to U.S.

* Prepared by Robert D. Shuey, Specialist in U.S. Foreign Policy and National Defense. Many assessments in this area were prepared in cooperation with Richard Grimmett, Specialist in National Defense.

¹ P.L. 87-195, sec. 514(e); P.L. 90-629, sec. 25(b), 39(d)(1), 42(b), and 61(a).

national security to extend credit in connection with the sale of sophisticated weapons to a developing country (P.L. 90-629, sec. 4). This provision affirms a policy stated or implied in three other provisions that U.S. assistance programs and recipient countries' military expenditures should not detract from economic development. The report has been submitted infrequently and the policy statements are considered ineffective by some congressional staff members. Congress may wish to consolidate these provisions and make them more explicit or repeal them.

Another congressional mandate indicates that U.S. arms transfers should not detract from the readiness and sustainability of U.S. military forces. Five provisions require reports on this subject. The most comprehensive provision is Section 21(i) of the Arms Export Control Act (P.L. 90-629). The reports provide piecemeal and incomplete information. Better information and some economy might be achieved if the reports were consolidated and loopholes were plugged.

Periodic Reports

To obtain more detailed and comprehensive information that would be useful in analyzing program patterns and trends, Congress requires ten periodic reports (six annual and four quarterly). These reports are generally considered to be very useful, and only two are candidates for repeal². A few of the periodic reports might provide more useful information or be less onerous to prepare if the requirements were modified.

One-Time Reports

Two legislative provisions require one-time reports that have been fulfilled and could be considered for repeal. One other provision requires two reports to be submitted in 1989 regarding the refinancing of Foreign Military Sales loans.

Overall Assessment

Reports required by the Arms Export Control Act (P.L. 90-629, as amended, sec. 3, 25, 28, 36, and 38) provide the basic information on military aid and sales programs as they are currently conducted. The remaining

² P.L. 90-629, sec. 53(b), which deals with the Special Defense Acquisition Fund and is difficult and impractical to prepare and not considered necessary by congressional staff members; and P.L. 91-672, sec 8(d) on Excess Defense Article grants, described above.

reports provide notification and information on a wide variety of possible events. Of the entire group of fifty-six reports, nine requirements are candidates for repeal, and another twenty could usefully be modified.

There is no requirement for the Administration to report accomplishments of its military assistance and sales programs in the manner that Section 634 of the Foreign Assistance Act requires a detailed and comprehensive evaluation of the effectiveness of economic assistance programs in advancing U.S. goals. Specific criteria for assessing military aid and arms sales programs are apparently more difficult to establish than criteria for economic assistance programs. Because the military programs seek to enhance national security, which is abstract and subjective, an attempt to demonstrate short-term or long-term achievements of the military programs may not yield concrete, objective examples of success and therefore, some observers believe, might erode support for the programs.

The system of reports on military aid and sales is widely accepted as a necessary element of congressional oversight. Congress and the Administration apparently prefer this structure of reports and congressional review to a more rigid system that would prohibit or restrict more arms transfers or military aid programs without ad hoc reports or, toward the other extreme, a less restrictive system that would allow the Administration greater unconditioned authority. Therefore, it seems likely that the majority of existing military aid and arms sales reporting requirements will remain, although opportunities do exist for some reduction and streamlining.

REPORTING REQUIREMENTS

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INCLUDED UNDER MILITARY ASSISTANCE AND SALES

National Security Act, 1947

PL 80-253, sec. 501, as interpreted by sec. 503
Transfer of Defense Articles Exceeding \$1 Million Fully and currently informed or in a timely fashion

Foreign Assistance Act, 1961

PL 87-195, sec. 505(d)(2)(A)
Termination of Grant Military Aid Upon determination

PL 87-195, sec. 505(d)(2)(B)
Possible Violation of a Military Assistance Program Promptly

PL 87-195, sec. 505(g)
Discrimination by Military Assistance Program Recipient Promptly

PL 87-195, sec. 506
Report of Emergency Military Assistance Drawdown Upon determination

PL 87-195, sec. 514(e)
New Stockpiles of Defense Articles for Foreign Countries Promptly

PL 87-195, sec. 515(c)(1)
Waiver of the Numerical Limitation on the Number of Members of the US Armed Forces that May be Assigned in a 30 days prior to introduction of additional personnel

PL 87-195, sec. 515(c)(2)
Increase in U.S. Security Assistance Management Personnel 30 days in advance

PL 87-195, sec. 516(c)
Transfer of Excess Defense Articles to Southern Flank Countries 30 days prior to transfer

Arms Export Control Act

PL 90-629, sec. 3(a)
Sale of Defense Articles and Services: Eligibility Promptly

PL 90-629, sec. 3(c)(2)
Violation of Arms Transfer Agreement Promptly

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PL 90-629, sec. 3(c)(3) Upon determination
Determination of Ineligibility for Violations of Restrictions on Use of U.S.-Origin Military Equipment

PL 90-629, sec. 3(d)(1) 30 days prior to consenting
Third Country Transfer of U.S. Weapons Supplied Under FMS or MAP

PL 90-629, sec. 3(e) Immediately upon occurrence
Transfer of Defense Articles, Related Training or Other Defense Services Made Without the Prior Consent of the

PL 90-629, sec. 4 Within 30 days of each determination
Arms Sales to Underdeveloped Countries

PL 90-629, sec. 5(c) Promptly
Discrimination in Military Sales and Credit Programs

PL 90-629, sec. 5(d) Within 60 days of request
Discriminatory Policies of Countries Receiving U.S. Military Sales and Credits

PL 90-629, sec. 21(c)(2) Within 48 hours of occurrence
Significant Hostilities or Terrorist Acts or a Change in the Status Thereof, Which May Endanger American Lives

PL 90-629, sec. 21(d) Prior to extending period
Extension of Payment Period for Purchases from U.S. Stocks

PL 90-629, sec. 21(g) Promptly
Standardization Agreements on Training

PL 90-629, sec. 21(i) Upon occurrence
Impact on U.S. Readiness of Weapons Sales

PL 90-629, sec. 22(b) Upon determination
Extension of Pay Period for Sales From U.S. Procurement

PL 90-629, sec. 23(a) 15 days in advance
Commercial Leasing of Defense Articles

PL 90-629, sec. 25(a) Annually, by Feb. 1
Estimate and Justification for Annual Arms Sales Program

PL 90-629, sec. 25(b) 30 days following the receipt of the request
Additional Information on Annual Arms Sale Programs

REPORTING REQUIREMENTS

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PL 90-629, sec. 26(b) and (c) Security Assistance Surveys	Quarterly, as part of sec. 36(a) report
PL 90-629, sec. 27(f) Certification of Proposed Agreement for Cooperative Project	30 days prior to signing agreement
PL 90-629, sec. 27(j) Cooperative Project to Improve Conventional Defense Capabilities	Annually by Jan. 1
PL 90-629, sec. 28 Price and Availability Estimates for Defense Articles, Equipment and Services Provided by the U.S. Government to	Quarterly, 15 days after calendar quarter
PL 90-629, sec. 30A Exchange of Military Training and Related Support Costs	Annually, by Feb. 1
PL 90-629, sec. 36(a) Foreign Military Sales and Commercial Sales Case Listings	Quarterly, within 60 days after end of each fiscal quarter.
PL 90-629, sec. 36(b)(1) Major Arms Sales Notification	30 days prior to issuing letter of offer
PL 90-629, sec. 36(b)(5)(A) Enhancement of Major Arms Sales Previously Proposed	45 days prior to delivery of item
PL 90-629, sec. 36(b)(5)(C) Enhancement of Major Arms Sales Previously Proposed--Certification	30 days, in advance
PL 90-629, sec. 36(c)(1) Export License for the Sale of Any Major Defense Equipment	30 days prior to issuing license
PL 90-629, sec. 36(d) Non-NATO Commercial Technical Assistance or Manufacturing Licensing Agreements	Prior to giving approval
PL 90-629, sec. 38(f) Items on the U.S. Munitions List No Longer Warranting Listing	Periodically, at least 30 days prior to removal
PL 90-629, sec. 39(d)(1) Political Contributions, Gifts, Commissions and Fees Paid by Arms Dealers	Upon request
PL 90-629, sec. 42(b) Financing of Defense Article Coproduced or Licensed Outside the United States	In advance

REPORTING REQUIREMENTS

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PL 90-629, sec. 83(a) Special Defense Acquisition Fund	Annually, by December 31
PL 90-629, sec. 83(b) Special Defense Acquisition Fund--Likely Procurement	Annually, as part of 10 U.S.C. 139a Report
PL 90-629, sec. 81(a) Waiver of the Requirement to Pay for a Lease	Regular presentation procedures of those committees
PL 90-629, sec. 82(a) Proposed Agreement for Leases or Loans	30 days prior to entering into any agreement
PL 90-629, sec. 82(b) Waiver of Congressional Review of Lease or Loan Agreement	Upon determination
<u>Foreign Military Sales Act Amendments, 1971</u>	
PL 91-672, sec. 8(d) Grant Excess Defense Articles	Annually; promptly report additional grants
<u>International Security Assistance and Arms Export Control Act, 1976</u>	
PL 94-329, sec. 607 Illegal Payments by U.S. Corporations to Foreign Officials Involved in Military Purchases	Within 60 days of receiving information
<u>Act of Oct. 12, 1982</u>	
PL 97-298, sec. 1(1) Impact of Major Arms Sales on U.S. Readiness	30 days prior to occurrence of event
<u>International Security and Development Cooperation Act, 1981</u>	
PL 96-83, sec. 106(a) FMS Financing History and the Guaranty Reserve Fund	Nov. 8, 1985
PL 96-83, sec. 129(b) Conventional Arms Transfers Negotiations	Aug. 8, 1986

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Foreign Operations Appropriations Act, 1988

PL 100-202, sec. 101(e), title III(a)
Foreign Military Sales Debt Reform

30 days after entry into force

PL 100-202, sec. 101(e), title III(d)
Base Rights and Base Access Agreements

Mar. 1, 1989; Aug. 1, 1989 (second report)

Foreign Operations Appropriations Act, 1989

PL 100-461, sec. 101(e), title V, sec. 566(c)
Letter of Offer---Stinger Missiles

Prior to notification

PL 100-461, sec. 553
Limitation on Defense Equipment Drawdown

Prior to date of delivery, if equipment

PL 100-461, sec. 554
Notification on Excess Defense Equipment

Prior to transfer

PL 100-461, sec. 573(c)
Report on Global Threat of Advanced Missiles

Mar. 12, 1988; every 3 months thereafter

PL 100-461, title III
Changes in Concessional Financing Allocations Under Foreign Military Sales

15 days in advance

5. INTERNATIONAL FINANCIAL INSTITUTIONS*

Foreign assistance laws currently require the executive branch to file thirty-one periodic reports describing U.S. policy towards the International Monetary Fund (IMF) and the four multilateral development banks (MDBs) or the recent activities of the international financial institutions (IFIs) themselves. These laws also require the executive branch to file nine other reports or determinations with Congress whenever specific events occur. Congress has enacted five other requirements for the executive branch to make one-time reports, from time to time, on particular issues.¹ The Treasury Department has the lead responsibility for the preparation and submission of all these reports.

Despite a substantial problem of noncompliance, partial compliance, or tardy compliance, when they are eventually submitted, many of these reports on IFI topics contain much useful information. Often, however, the executive branch seems to treat the required reports more as administrative burdens than as opportunities for communicating with Congress. Low priority is given, in staff time and printing schedules, to the preparation of the reports. A common perception is that the reports are not important documents and that they are not used or valued by Congress.

One way to improve the reporting system might be to ensure that the annual report of the National Advisory Council for International Monetary and Financial Policies (the NAC annual report) is the focus for IFI information. The law now presumes that the NAC annual report will be the basic document through which the Administration informs Congress about IFI policy issues and developments. Of the thirty-one recurring IFI reports, twenty-one must be published in the NAC annual report.² Three of the others

* Prepared by Jonathan E. Sanford, Analyst in International Political Economy, Foreign Affairs and National Defense Division.

¹ Of these 45 required reports, 11 are also discussed in other sections of this CRS study. These include 1 report about IFIs and drugs, 4 about human rights, 5 about environmental issues, and one about indirect aid included in the general foreign assistance authorities and funding section.

Also note that four new IFI reports were enacted in the Omnibus Trade and Competitiveness Act and the World Bank General Capital Increase Authorization Act. This survey was completed prior to approval of these laws.

² Existing law requires that the NAC make annual reports with respect to U.S. participation in the IMF and World Bank, the International
(continued...)

could appropriately be included in the NAC report if their reporting requirements were changed.³

If the NAC annual report is to be useful to Congress, it needs to arrive on Capitol Hill early in the legislative session. Currently, it is submitted to Congress up to a year after the close of the fiscal year for which it is prepared.⁴ By then, it is of limited relevance to the pending legislative process

²(...continued)

Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the Asian Development Bank, the Inter-American Development Bank, the Inter-American Investment Corporation, the African Development Bank, and the African Development Fund. Other laws require separate reports, in the NAC annual report, on MDBs and grassroots organizations, on MDBs and women, on MDBs and microenterprise, on MDBs and human rights, on MDB loans approved and outstanding, on import restrictions and export subsidies, on the role of World Bank securities and development, on IDB securities and development, on the progress made in using MDB loans to discourage drug production, on the progress made in reducing defense expenditures and promoting democracy in Latin America, on the progress made in expanding IMF concern for basic human needs, and on the progress made in encouraging the IMF to use adjustment plans that avoid bank bailouts and maintain international growth.

³ The Administration is required to make separate reports to Congress on the progress made in promoting human rights through the MBDs, on the impact the IMF's loan programs have had on basic human needs in its borrower countries, and on the progress achieved in encouraging the MDBs to give greater attention to environmental concerns. These three separate reports could be included in the NAC annual report without seriously altering their basic purpose.

To some extent, the report on human rights and the study on basic human needs duplicate other information in the NAC annual report. There is also some question whether the existing report on the impact of IMF lending on basic human needs is a worthwhile exercise. If the report is to be retained, its scope and focus might be altered appropriately. The quarterly reports to Congress on MDB loans and human rights and the semiannual reports on dubious MDB loans could continue to be submitted separately.

⁴ The NAC report for fiscal year 1987 was submitted to Congress in mid-October 1988, with an August transmittal date. The NAC reports are generally sent to Congress during the summer months of the year following the fiscal year which they cover. On several occasions -- notably, fiscal years 1972, 1973, 1975, and 1977 -- they were submitted 6 months or less after the close of the fiscal year. More recently, they have been submitted to Congress with July or August transmittal dates.

and, when the next congressional session begins the following January, the data in it are often too stale for use.⁶ It would appear that the NAC report could be submitted to Congress much earlier, because most of the data have been gathered by the agencies in January.

The principal problems in assembling the report are the complexities of the NAC interagency clearance process (seven agencies must agree on the contents) and the low priority it receives in the staff preparation and publishing schedule. If the NAC interagency clearance process is cumbersome or too lacking in final direction to speed up review, other options might be considered. The final responsibility for preparation of the report on IMF and MDB activities could be given to the Treasury Secretary, the official who has day-to-day responsibility for U.S. participation in these international agencies. Most of the NAC functions have already been transferred to other Cabinet or operating-level committees. The Treasury Secretary currently provides Congress with significant amounts of information, through testimony before the authorizing and appropriating committees, or separately through other communications, about U.S. policy and the activities of the international financial institutions.

If the NAC report were submitted to Congress at the beginning of the legislative year, it could serve as a core document and be a useful working tool for Congress. The Administration might also find that these IFI reporting requirements (which are now often slighted or ignored) are potentially useful vehicles for informing Congress about controversial and critical issues affecting U.S. policy and U.S. participation in the international financial institutions.

⁶ Because of the current reporting cycles when new requirements are added to the NAC report, it may be 18 months or more before the data are included in an NAC submission. In December 1987, for example, Congress directed that reports on women-in-development and micro-enterprise issues should be included in future NAC annual reports. Treasury Department lawyers decided that, because the requirement was not enacted during fiscal 1987, the required reports need not be included in the fiscal 1987 NAC report. They are scheduled to be included in the 1988 NAC report, which will probably be submitted to Congress in the summer of 1989.

REPORTING REQUIREMENTS CRS PRINTOUT DATE: 29NOV88
INCLUDED UNDER INTERNATIONAL FINANCIAL INSTITUTIONS

Bretton Woods Agreements Act

PL 79-171, sec. 4(b)
U.S. Participation in International Financial Institutions

Annually

PL 79-171, sec. 15(b)
World Bank Securities and Impact on Development

Annually

PL 79-171, sec. 30(b)
Basic Human Needs and the IMF

Annually, no less than 180 days after close of calendar year

PL 79-171, sec. 33(c)
IMC Report on U.S. Actions and Progress Regarding IMF and Basic Human Needs

Annually, to be included in MAC annual report

PL 79-171, sec. 45(b-c)
IMF Loans to Countries Having High Debt Service Ratios

Upon determination

PL 79-171, sec. 45(c)
Debt Service and Support from IMF

Upon determination

PL 79-171, sec. 49(c)(2)
Trade and Investment Practices/International Monetary Fund Programs

Upon decision

PL 79-171, sec. 50(a)(1-4)
Elimination of Import Restrictions and Export Subsidies

Annually, as part of MAC's annual report

PL 79-171, sec. 50(a)(5)
IMF Economic Adjustment Programs and Loans

Annually

National Bank Act Amendments

PL 81-142, sec. 3
World Bank Securities

Annually

International Finance Corporation Act

PL 84-350, sec. 4
International Finance Corporation Activities

Annually, as part of MAC report

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Inter-American Development Bank Act

PL 86-147, sec. 4
Inter-American Development Bank Activities Annually, as part of MAC report

PL 86-147, sec. 11(b)
Inter-American Development Bank Exempt Securities Annually

PL 86-147, sec. 12
Inter-American Development Bank Securities and Impact on Development Annually

International Development Association Act

PL 86-565
International Development Association Activities Annually, to be included in the MAC report

Asian Development Bank Act

PL 89-369, sec. 4(b)
Asian Development Bank Activities Annually, to be included in the MAC report

PL 89-369, sec. 11(b)
Asian Development Bank Exempt Securities Annually, to be included in the SEC report.

Act of Dec. 30, 1970

PL 91-599, sec. 31(2)
MAC Report on Latin American Defense Expenditures and Democratic Institutions Annually

PL 91-599, sec. 31(1)
Approved and Outstanding Multilateral Development Bank Loans Annually, as part of MAC's annual report

African Development Fund Act

PL 94-302, sec. 204
African Development Fund Activities Annually, to be included in MAC report

International Financial Institutions Act

PL 95-118, sec. 1103

MDB Loans and Targeting Assistance to the Needy

Three times: May 1, 1982, 1983, 1984

PL 95-118, sec. 1201

Treasury Consultations on Future MDB Contributions

30 days before, during, and before the conclusion of, all

PL 95-118, sec. 1602(d)

Interim Report on Grassroots Collaboration Program

June 22, 1988

PL 95-118, sec. 1602(e)

Annual Report on Grassroots Collaboration Program

Annually in MAC annual report

PL 95-118, sec. 1603(c)

Microenterprise Credit Promotion Activities

MAC annual report

PL 95-118, sec. 1604(c)

Women in Multilateral Bank Activities

MAC annual report

African Development Bank Act

PL 97-35, sec. 1335

African Development Bank Activities

Annually, in MAC report

PL 97-35, sec. 1341(b)

African Development Bank Exempt Securities

Annually

Supplemental Appropriations Act, 1984

PL 98-181, sec. 1006

Removal of Regional Multilateral Development Bank (MDB) High Officials

Prior to the beginning of any such discussions

Continuing Appropriations Act, 1985

PL 98-473, sec. 204

Inter-American Investment Corporation Activities

Annually, to be included in MAC report

REPORTING REQUIREMENTS

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Foreign Operations Appropriations Act, 1988

PL 100-202, sec. 101(e), title I
Contribution to the Multilateral Investment Guaranty Agency

Prior to Apr. 30, 1988

PL 100-202, sec. 408
MIGA Project Impact on U.S. Exports and Foreign Labor Conditions

Annually, in four separate reports: April 1988, 1989, 1990, 1991, 1992

PL 100-202, sec. 408
Annual Report on MIGA Activities

Annually, in MAC Annual Report

Foreign Operations Appropriations Act, 1988

PL 100-461, sec. 520
Financial Institutions--Documentation

Upon occurrence, to affect future U.S. contributions

6. INTERNATIONAL NARCOTICS CONTROL*

Thirty-four reporting requirements currently involve international narcotics control issues.¹ This represents an increase of sixty-eight percent over the number of such requirements in existence in March of 1986. Of those, twenty-six link foreign aid and drug-related issues and are reviewed in this survey.

Of the twenty-six requirements currently contained in public laws, seventeen are listed as active and call for either regularly scheduled periodic reports, reports which are contingent upon the occurrence of specific events, or "one-time" reports on matters of interest to the Congress. The remaining nine have been fulfilled, or are out-of-date and no longer require input from the executive branch.

Four reporting requirements essentially provide the core of information and notifications utilized by the Congress in the area of international narcotics control. Of these, two involve periodic reports and two involve notifications of certification. The first major report is the Department of State's Annual International Narcotics Control Strategy Report which is updated at midyear (P.L. 87-195, sec. 481(e)). The information provided in this report forms the basis for Presidential certifications required by P.L. 87-195, sec. 481(h)(2). A second requirement for reported information, under P.L. 99-570, sec. 2013(a), forms the basis for a separate Presidential certification under sec. 2013(b) of that law. Consideration might be given to merging all information forming the basis for certification notification into one report -- instead of two -- and then to require only one Presidential determination of certification.

Many, if not most of the additional international narcotics control reporting requirements are fragmented in nature and the information provided is difficult and time-consuming to obtain. If the information is important and of widespread utility to Congress, requiring that it be included in the Department of State's Annual International Narcotics Control Strategy Report (INCSR) warrants serious consideration. For example, two of the reporting requirements (P.L. 99-570, sec. 2018(c) and 2029) specify that certain information should be included in annual reports other than the INCSR. Placing the information (or a summary thereof) in the INCSR would insure

* Prepared by Raphael Perl, Specialist in International Affairs.

¹ This figure excludes those reports that may have been added by the Omnibus Drug Act of 1988. That Act was enacted after this survey was prepared.

its ready availability to congressional users. In addition, periodically requested information in many other reports could simply be included in the INCSR or attached as an appendix thereto.

Specially required "one-time" reports might be readily obtainable without recourse to legislation, but instead by letter from Committee Chairmen to the relevant agency. One legislative requirement (P.L. 87-195, sec. 485) provides that certain records be made available upon request of the Committee Chairman. Presumably, such records would be made available to the Chairman even without the specific legislation so requiring. However, Congress could specify -- if it saw fit -- a list of reports, records, or information which must be made available at the request of certain Committee Chairmen.

REPORTING REQUIREMENTS CRS PRINTOUT DATE: 15NOV88

INCLUDED UNDER INTERNATIONAL NARCOTICS CONTROL

Foreign Assistance Act, 1961

PL 87-195, sec. 481(b)(1)
Programming of Narcotics Control Funds Quarterly: August 15; November 15; February 15; May 15

PL 87-195, sec. 481(b)(2)
International Narcotics Control Assistance Activities Annually, by Aug. 1

PL 87-195, sec. 481(c)(2)
U.S. Personnel Involvement in Narcotics Arrest Action Abroad Prior to effective date of agreement

PL 87-195, sec. 481(d)(2)
Health Effects of Spraying of Herbicides on Marijuana Upon determination

PL 87-195, sec. 481(e)
U.S. Policy on International Narcotics Control Annually, by Mar. 1

PL 87-195, sec. 481(h)(2)
Certification of Major Illicit Drug-Producing or -Transit Countries Prior to lifting aid suspension

PL 87-195, sec. 482(a)(1)
International Narcotics Control Act of 1986 Prior to appropriation of specified funds

PL 87-195, sec. 485
Records of Aircraft Provided to Foreign Countries for Narcotics Control Upon request of H. Comm on Foreign Affairs (Chairman) or

Int. Security and Development Cooperation Act, 1985

PL 99-83, sec. 607
Weapons To Defend Aircraft Involved in Narcotics Control Efforts 15 days in advance

PL 99-83, sec. 611
Bolivia Aid and Narcotics Control Upon occurrence in FY86, FY87

PL 99-83, sec. 612(a)
Peru Aid and Narcotics Control Prior to providing aid in FY86, 87

PL 99-83, sec. 615(b)
Latin American Regional Narcotics Control Organization Feb. 8, 1986

REPORTING REQUIREMENTS	CRS PRINTOUT DATE: 18NOV88
PL 99-83, sec. 616 Narcotics Control and the Role of DOD	Oct. 8, 1985
<u>Anti-Drug Abuse Act, 1988</u>	
PL 99-570, sec. 1037 Report of White House Conference for Drug-Free America	April 1987; every three years following
PL 99-570, sec. 2007 Review of Effectiveness of International Narcotics Control Assistance Program	Periodically; final report due Mar. 1, 1988
PL 99-570, sec. 2013(a) Major Illicit Drug-Producing and Drug-Transit Countries	Apr. 27, 1987, and every 6 months thereafter
PL 99-570, sec. 2013(b) Assistance to Major Illicit Drug-Producing and Drug-Transit Countries	Prior to assistance to countries meeting requirements of sec. 2013(a)
PL 99-570, sec. 2015 Countries Failing to Negotiate Drug Interdiction Procedures	Semiannually
PL 99-570, sec. 2018(c) Multilateral Development Bank Assistance for Drug Eradication	Include in MEC annual report
PL 99-570, sec. 2021(c) International Conference on Drug Abuse and Illicit Trafficking	Apr. 30, 1987
PL 99-570, sec. 2022 Effectiveness of International Drug Prevention and Control System	April 30, 1987
PL 99-570, sec. 2025 Opium Production in Pakistan	Jan. 3, 1987
PL 99-570, sec. 2029 USIA and AID Drug Eradication Programs Abroad	Include in annual reports
PL 99-570, sec. 2030 Narcotics Control Efforts in Mexico	Prior to release of \$1 million withheld in FY 1987
PL 99-570, sec. 3301 United States-Bahamas Drug Interdiction Task Force	Quarterly
PL 99-570, sec. 7003 National Anti-Drug Reorganization and Coordination Act	April 1987

7. HUMAN RIGHTS*

In the mid-1970s, Congress mandated that the foreign policy of the United States should promote and advance human rights and that the U.S. foreign assistance programs should take into account a recipient country's observance of internationally recognized human rights. Since that time, monitoring worldwide human rights observances and U.S. human rights policy has been a major congressional concern. In order to facilitate congressional oversight, a number of reporting requirements were instituted. This section discusses fourteen requirements (six annual reports, two quarterly reports, and six reports as occasions demand).

The centerpieces of human rights reporting are the omnibus annual country reports (sec. 116(d) and 502(b) of the Foreign Assistance Act, P.L. 87-195, as amended) on the status of human rights in all foreign countries which receive U.S. assistance or are members of the United Nations. These annual reports originally were only required of recipients of U.S. assistance, but since that seemed to point only to the violations by countries friendly to the United States and often did not include the worst violators, Congress changed the requirement in 1979 to include all members of the United Nations. The State Department has gone beyond the requirements of the law by also including reports on human rights situations in countries which are not U.N. members: Switzerland, North and South Korea, Taiwan; the three Baltic countries under the Soviet Union, Estonia, Latvia, and Lithuania; and Namibia.

Reports submitted between 1980 and 1987 also contained tables showing U.S. and multilateral assistance to the individual countries discussed. The report submitted in 1988 no longer included such tables. The reports do not, moreover, contain any discussion of U.S. relations or policy toward the country, nor any discussion of the use of U.S. assistance to further human rights in recipient countries.

Those favoring strong U.S. public action on human rights often find the State Department reporting too bland and cautious. Others, however, feel that it is inappropriate for the State Department to prepare public "report cards" on the behavior of foreign governments towards their own citizens. Preparation of the human rights reports has compelled the State Department and other executive agencies to review their human rights policies on a country-by-country and program-by-program basis, often requiring some participation by U.S. overseas missions in this process. Thus, their preparations educate and sensitize U.S. officials to human rights concerns.

* Prepared by Vita Bite, Analyst in International Relations.

A separate report required by sec. 116(d)(2) of the Foreign Assistance Act of 1961 is prepared on AID implementation of U.S. human rights policy. Another report is submitted annually on the compliance of U.S. security assistance programs with the requirements of U.S. human rights policy (sec. 502B(a)). These reports contain certifications that overall economic and security programs promote human rights principles but rarely mention human rights situations or concerns in specific countries. The certification relating to U.S. security assistance programs does not appear to be specifically required by sec. 502B.

A number of reporting requirements that are triggered by congressional requests, such as those in sec. 116(b) and 502B(c), have been used infrequently or not at all. There is, however, strong congressional sentiment for retention of these provisions. The requirements are not a continuing burden for the executive branch and they may prove useful should a situation arise in which Congress strongly disagrees with executive branch implementation of U.S. assistance programs toward human rights violative countries.

In past practice, however, Congress has usually handled dissatisfaction with the human rights situation in a particular aid-recipient country in other ways -- by enacting legislation limiting assistance to those countries or by making provision of assistance dependent on the submission by the executive branch of a satisfactory human rights certification report.

Human rights reports required by the multilateral development bank legislation (sec. 701 of P.L. 95-118, as revised by sec. 501 of P.L. 98-259) provide useful information on U.S. voting at those institutions. The human rights justifications, however, are simply based on the State Department's annual human rights country reports giving no new information on loan decisions based on human rights conditions in specific countries. Treasury Department officials find compilation of these reports burdensome.

Other programs requiring annual executive branch reports on the fulfillment of human rights provisions discussed in other sections are the Public Law 480 Program (sec. 112 of the Agricultural Trade Development and Assistance Act, P.L. 83-480, as amended), and the Overseas Private Investment Corporation (OPIC) (sec. 240A of the Foreign Assistance Act, P.L. 83-480, as amended).

REPORTING REQUIREMENTS CMS PRINTOUT DATE: 1940V88

INCLUDED UNDER HUMAN RIGHTS

Agricultural Trade Development and Assistance Act, 1954

PL 83-480, sec. 112(d)
Food Assistance and Human Rights Annually

Foreign Assistance Act, 1961

PL 87-195, sec. 116(b)
Human Rights Violations and Aid Reaching Intended Recipients Upon request

PL 87-195, sec. 116(d)(1)
Human Rights Status in U.N. Member Countries Annually, by Jan. 31

PL 87-195, sec. 116(d)(2)
Alternatives of Aid Programs for Human Rights Reasons Annually, by January 31

PL 87-195, sec. 5028(a)(2)
Waiver of Human Rights Prohibition for Police or Law Enforcement Aid or Equipment Export Upon occurrence

PL 87-195, sec. 5028(a)(2)
Waiver of Human Rights Prohibition for Security Assistance Upon occurrence

PL 87-195, sec. 5028(b)
Status of Human Rights in Countries Receiving Security Assistance Annually, as part of congressional presentation

PL 87-195, sec. 5028(c)
Designated Country's Observance of Human Rights Within 30 days of request

PL 87-195, sec. 5028(g)
Utilization of Authority Relating to Human Rights Upon occurrence

CRS PRINTOUT DATE: 15NOV88

REPORTING REQUIREMENTS

International Financial Institutions ActPL 95-118, sec. 701(c)
Human Rights and Multilateral Development Banks

Annually

PL 95-118, sec. 701(c)(2)(A)
Quarterly Report on MDB Lending and Human Rights

Quarterly

PL 95-118, sec. 701(c)(2)(B)
MAC Annual Report on Human Rights and MDBs

Annually

PL 95-118, sec. 701(g)(1)
Quarterly Report on U.S. Opposition to MDB Loans Because of Human Rights Considerations

Quarterly (30 days after end of each calendar quarter)

Foreign Operations Appropriations Act, 1989PL 100-461, sec. 101(e), title V, sec. 513
Military Coups d'Etat

Upon occurrence

8. ENVIRONMENT AND FOREIGN AID*

The reporting requirements on environmental issues in foreign assistance represent a relatively recent, greatly heightened sense of urgency about improving the environmental "sustainability" of foreign assistance and economic development. The goal of many of these reporting requirements is to encourage or require AID or multilateral development banks to give high priority for environmental protection, and to avoid programs that may have environmentally serious consequences. Such consequences have been noted frequently by environmental interest groups, who point out that they occur because environmental analysis was lacking or a low priority.

The environmental reports assessed in this project are of widely varying quality. Some contain a large amount of helpful information, and are likely to make useful contributions to agency programs and environmental analysis and operations. Others are of doubtful quality, and appear to have been done at the most minimal level, barely satisfying the requirements in the law. Whatever the quality of the reports, however, comments of agency environmental staff and interest groups favor the requirement for the reports. The reports provide information on operations of AID and the multilateral development banks in the environmental area, and are found to be helpful to congressional staff who are interested in the subject.

Moreover, in almost every case, the process of preparing the report achieved one goal of the congressional sponsors of the requirement: that of gaining greater access for environmental proponents to the higher, decision-making levels of agencies. In the case of the grassroots report required from the Treasury Department, (see listing under International Financial Institutions section, above), for example, one nongovernmental organization spokesperson noted that although the report was cursory and lacking in serious substance, the process of preparing the report "opened doors" to upper-level Treasury officials and World Bank personnel that had previously been closed. Similarly, the pending report by the State Department on maximizing protection of natural resources in the foreign assistance programs, both multilateral and bilateral, reportedly had the effect of causing interagency discussion of environmental issues by high-level officials, many of whom had not previously focused on environmental priorities. Again, this was one of the purposes of requiring the report.

A comment by an agency staff person long-involved in environmental matters indicated that writing the reports, especially those on the use of

* Prepared by Susan Abbasi Fletcher, Specialist in Natural Resources Policy.

chemicals in U.S. foreign assistance programs and on tropical forestry/biological diversity, had created awareness throughout AID of some of the related issues and a useful data base on which future decisions could be made. The data would not have been collected without the reporting requirement, according to this person, and relegating such subjects to an overall annual report would not serve the same purpose. "It would become instantly a pro forma process, with no one else focusing on it," beyond the person delegated the task of preparing the report, was the comment.

REPORTING REQUIREMENTS
INCLUDED UNDER ENVIRONMENT AND FOREIGN AID
 COS PRINTOUT DATE: 15NOV88

Foreign Assistance Act, 1981

PL 87-195, sec. 118
 Protection of Tropical Forests
 Annually

PL 87-195, sec. 119(h)
 Biological Diversity in Developing Countries
 Annually by Feb. 1

International Financial Institutions Act

PL 95-118, sec. 1303(c)
 Environmental Assistance Program
 June 30; Dec. 31, 1988; annually thereafter

PL 95-118, sec. 1307
 Status Report on Environmental Assistance Program
 Jan. 15, 1988; annually thereafter

Foreign Aid Appropriations Act, 1988

PL 100-202, sec. 101(e), title V, sec. 537(c)
 Multilateral Development Banks and "Debt for Conservation" Swaps
 Apr. 1, 1988

PL 100-202, sec. 101(e), title V, sec. 537(h)
 Projects Likely to Have Adverse Impacts on Environment
 Apr. 1, 1988, and semiannually thereafter

PL 100-202, sec. 101(e), title V, sec. 537(j)
 Proper Use of Chemicals in Foreign Aid
 Feb. 1, 1988

PL 100-202, sec. 101(e), title V, sec. 537(k)
 Use of Foreign Aid to Address Natural Resource Problems
 Aug. 1, 1988

9. INTERNATIONAL TERRORISM*

Most of the legislative reporting requirements dealing with terrorism were established during the late 1970's and early 1980's when there was an alarming rise in the number of terrorist incidents worldwide, many of them directed against Americans and their property. In 1985, when the number of attacks against Americans was at a particularly high level, Congress enacted legislation which added or amended thirteen of the twenty-one reporting requirements pertaining to terrorism. Fourteen of these reports link the issues of terrorism and foreign assistance and are reviewed in this survey.

Since 1985, a discernible drop in the number of attacks against Americans and against Western Europeans also led to a reduction in the number of reports that dealt with terrorism. Of the foreign aid reports currently required, eight are apparently still useful, five might be modified, and one was a one-time report that could be deleted from the list of required reports. In four cases, a report has never been submitted because the event that would have triggered a report has not occurred.

Five of the reports required by current legislation deal with countries that support international terrorism, an area where the executive branch has been inconsistent in its application of the law and in reporting to the Congress. A resurgence in attacks against Americans could prompt additional reporting requirements aimed at influencing policy.

* Prepared by James P. Wooten, Specialist in National Defense. Many assessments in this area were prepared by Marjorie Berona, Specialist in International Relations.

REPORTING REQUIREMENTS CRS PRINTOUT DATE: 15NOV88
INCLUDED UNDER INTERNATIONAL TERRORISM

Foreign Assistance Act, 1981

- PL 87-195, sec. 573(d)(4) 15 days prior to the transfer of articles
Transfers of Articles on the U.S. Munitions List under the Anti-Terrorism Assistance Program
- PL 87-195, sec. 574(a)(1) 30 days before providing aid
Prior Notification of Antiterrorism Assistance--The "30-Day" Report
- PL 87-195, sec. 574(a)(2) As requested by chair of either committee
Human Rights in Country Proposed for Anti-Terrorism Assistance (ATA)
- PL 87-195, sec. 574(b) Annually, as part of congressional presentation
Antiterrorism Assistance--Congressional Presentation Materials
- PL 87-195, sec. 620A 15 days before waiver takes effect
Waiver on Prohibition of Assistance to Countries Supporting International Terrorism

Arms Export Control Act

- PL 90-629, sec. 3(f) Upon occurrence
Continuation of Military Aid and Sales to Countries Supporting Terrorists
- PL 90-629, sec. 6 Upon occurrence
Intimidation or Harassment by a Foreign Country of Individuals in the United States
- PL 90-629, sec. 40 Upon waiver
Waiver of Prohibition of Exports to Countries Supporting International Terrorism

International Security and Development Cooperation Act, 1986

- PL 99-83, sec. 502(b) Annually, by Feb. 1
Coordination of All U.S. Terrorism-Related Assistance to Foreign Countries
- PL 99-83, sec. 505(b) Before and while exercising authority
Consultation Before Banning Imports From Countries Supporting Terrorism
- PL 99-83, sec. 505(c) Upon occurrence and every succeeding 6 months
Ban on Imports from Countries that are Supporting Terrorism

REPORTING REQUIREMENTS	CRS PRINTOUT DATE: 15NOV88
PL 99-83, sec. 552(b) Waiver of Suspension of Foreign Aid to Country with Inadequate Airport Security	Upon occurrence
PL 99-83, sec. 552(d) Inadequate Airport Security--Lifting of Sanctions	Upon occurrence
PL 99-83, sec. 553(a) Expansion of the Air Marshal Program	One-time report, due Feb. 8, 1986

10. NUCLEAR NONPROLIFERATION*

U.S. policy to restrain the further spread, or proliferation, of nuclear weapons is directly affected by U.S. financial contributions to international organizations and economic and military aid to some countries. Additionally, it is strongly linked to U.S. foreign policy through relations with other countries and with international and regional organizations, particularly for U.S. nuclear trade and cooperation with other countries, and U.S. national security.

Ever since the United States used atom bombs in 1945, Congress has seen a tight link between U.S. national security and preventing the further nuclear weapons spread. This is evident in the Atomic Energy Act of 1954 where Congress declared that "the development, utilization, and control of atomic energy for military and for all other purposes are vital to the common defense and security," and provided for a program of:

...international cooperation to promote the common defense and security and to make available to cooperating nations the benefits of peaceful applications of atomic energy as widely as expanding technology and considerations of the common defense and security will permit.

More recently in the Nuclear Non-Proliferation Act of 1978, Congress found and declared that:

...the proliferation of nuclear explosive devices or of the direct capability to manufacture or otherwise acquire such devices poses a grave threat to the security interests of the United States.

These laws and other nonproliferation legislation contain reporting requirements which on the whole are intended to assure Congress of timely information about important events and government actions.

Six of these reporting requirements that are linked with foreign assistance are summarized and assessed individually in the appendix. Of these six, one is annual and five are prepared as required. All appear to serve a useful congressional purpose. Reports are distributed to congressional recipients as follows: three to the Congress, and three to the Speaker of the House and the Senate Committee on Foreign Relations.

* Prepared by Warren H. Donnelly, Senior Specialist in Conservation and Energy.

CRS PRINTOUT DATE: 15NOV88

REPORTING REQUIREMENTS

INCLUDED UNDER NUCLEAR NONPROLIFERATION

Foreign Assistance Act, 1981

PL 97-106, sec. 620(e) Possession of Nuclear Explosive Device by Pakistan Prior to furnishing military equipment or technology in same

PL 97-106, sec. 669(b) Certification Concerning Uranium Enrichment by Foreign Country As required

PL 97-106, sec. 670(b) Certain Nuclear Transfers and U.S. Aid In each case

International Security and Development Cooperation Act, 1981

PL 97-113, sec. 735 Nuclear Programs & Related Activities of Certain Countries Annually (as part of foreign aid presentations)

International Security and Development Cooperation Act, 1985

PL 99-63, sec. 207 Nuclear Facilities and ESP Funds Prior to use of funds

Foreign Operations Appropriation Act, 1988

PL 100-461, sec. 101(e), title I Israel's Right to Participate in the International Atomic Energy Agency Upon determination

11. COUNTRY-SPECIFIC REQUIREMENTS¹

Reporting requirements related to particular countries and regions represent a significant portion of the total mandated by foreign assistance legislation. This survey examined fifty-two such reporting requirements. Country-specific requirements often apply to current conditions or events in countries in which Congress maintains a high level of interest. As such, these provisions tend not to be enacted as permanent requirements to be submitted on a recurring basis, but more often are included in appropriation measures or as free-standing sections in foreign aid authorizing bills that apply only to a specific fiscal year. Consequently, the effect of these requirements usually expires with the appropriation, or in the case of authorizing laws, with the obligation of money in a particular fiscal year, unless Congress chooses to reenact identical or similar provisions in subsequent measures.

Of the fifty-two country-specific requirements examined, less than half were found to be useful. Twenty-nine appear to be out of date, fulfilled, or candidates for repeal. Many of these requirements were contained in the International Security and Cooperation Act of 1985 (P.L. 99-83), authorizing foreign aid programs for FY 1986 and FY 1987. Such provisions, although now out-of-date, were included in this assessment because many of them are identical or similar to reports that would have been required had Congress enacted H.R. 3100, or other foreign aid authorization bills that applied to FY 1988 and FY 1989. Presumably, Congress might wish to reexamine some of these requirements when it considers foreign aid authorization measures in 1990.

A key characteristic of many country-specific reporting requirements is their focus on broad foreign policy issues, especially on such matters as human rights conditions and narcotics control efforts, as they apply to specific countries. Often comprehensive reporting requirements on these topics that pertain to nations worldwide already exist -- for example, the general human rights report that is required by the Foreign Assistance Act of 1961, sec. 116(d) and 502(b). Congress uses country-specific reports to focus more attention on the situation, to obtain more detailed information, or to receive reports on a more frequent basis than might otherwise occur. Whether congressional objectives are achieved is unclear, as many of the reports appear to address the issue with a "boilerplate" approach that offers little new information or insight.

Because the information sought in a number of country-specific reports might be covered in the more generic worldwide reporting requirements,

¹Prepared by Erin E. Day, Analyst in Foreign Affairs.

executive branch officials frequently view these submissions as duplicative and unnecessary. Moreover, they sometimes criticize Congress for forcing a public discussion of issues that they believe might better be left for private diplomacy with leaders of the countries in question. On the other hand, executive branch officials have stated in the past that in selected instances, country-specific reports have been useful in convincing foreign leaders to alter certain policies so that their country will remain eligible for American assistance.

By far the greatest number of country-specific requirements concerned El Salvador and Haiti. Although this reflects the high degree of congressional interest in human rights and other conditions in these two nations, the proliferation of reporting requirements -- often similar, yet each with a slightly different focus -- may not necessarily provide Congress better information with which to oversee U.S. policy. Such requirements tended more often to receive rote responses from the executive branch, and perhaps because some were required on such a frequent basis, their content went largely unchanged from one report to the next. One alternative when there is substantial interest in a few countries, might be to require a single report for each country that would consolidate much of what has been required in the past in numerous reports. Authorization and appropriation committees, working in consultation with the Administration, might be able to devise a single reporting requirement that would be effective in obtaining a complete response from the executive branch.

REPORTING REQUIREMENTS
INCLUDED UNDER COUNTRY-SPECIFIC REQUIREMENTS
OCS PRINTOUT DATE: 18NOV68

Foreign Assistance Act, 1981

PL 87-195, sec. 121 Sahel Development Program	Annually	
PL 87-195, sec. 464(d)(1) Central American Development Organization	Fully and currently informed	
PL 87-195, sec. 464(d)(2) Central American Development Organization Agreement	60 days prior to signature	
PL 87-195, sec. 534(d) Administration of Justice in Latin America and Caribbean	15 days in advance of fund obligations	
PL 87-195, sec. 620(C)(a)(2) Turkish and Greek Military Forces on Cyprus	Upon event	
PL 87-195, sec. 620(C)(c) Progress Made Toward Conclusion of Negotiated Solution to Cyprus Problem	Every 60 days	
PL 87-195, sec. 620(C)(d) Greece and Turkey Security Assistance	Whenever requesting assistance	
PL 87-195, sec. 660(d) Police Assistance for El Salvador or Honduras	30 days prior to providing aid	

International Security and Development Cooperation Act, 1981

PL 97-113, sec. 724(e) Amounts Obligated and Actually Expended in Nicaragua	Semiannually	
PL 97-113, sec. 726(b) Certification of Chilean Progress in Human Rights	Upon determination	

Caribbean Basin Initiative Act

PL 98-67, sec. 212(a)(2) Termination of Designating a Beneficiary Country To Receive Duty-free Treatment	60 days prior	
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REPORTING REQUIREMENTS

CMS PRINTOUT DATE: 18NOV88

PL 98-87, sec. 212(b)
U.S. National Interest and the Designation of a Beneficiary Country
Upon occurrence of event

PL 98-87, sec. 212(b)(2)
Restrictions on the Designation of a Beneficiary Country to Receive Duty-Free Treatment
Promptly upon determination

PL 98-87, sec. 213(c)(4)
Food Production Plans Implemented by Beneficiary Countries
Biennially, by March 15

PL 98-87, sec. 215(a)
International Trade Commission Annual Report on Economic Impact of CBI
Before October 1, for previous calendar year

Int. Security and Development Cooperation Act, 1985

PL 98-83, sec. 130(c)
Jordan Arms Sales
30 days prior to issuance of letter of offer

PL 98-83, sec. 131(b)
Saudi Arabia AWACS Sale
Prior to transfer

PL 98-83, sec. 131(c)
Saudi Arabia AWACS Sale--Changes
Promptly upon occurrence

PL 98-83, sec. 702(c)
El Salvador Assistance, FY 1986-87
Oct. 1, 1985, Apr. 1, 1986; Oct. 1, 1986, Apr. 1, 1987

PL 98-83, sec. 702(d)
Aircraft Transfer to El Salvador
15 days in advance

PL 98-83, sec. 703(a)
Guatemala Military Assistance, FY 1986-87
Prior to providing military aid in FY86-87

PL 98-83, sec. 705(c)
Haiti Assistance, FY 1986-87
Not later than Aug. 8, 1986 and Aug. 8, 1987

PL 98-83, sec. 706
Paraguay Military Assistance, FY 1986-87
Prior to providing MAP (grant) or FMS (loan) military aid in

PL 98-83, sec. 709(a)
Latin American and Caribbean Assistance, FY 1986-87
Annually, as part of the Foreign Assistance Act, 1981, sec. 634

CDS PRINTOUT DATE: 18NOV88

REPORTING REQUIREMENTS

PL 99-83, sec. 713(d) Employee Stock Ownership Plans in Latin America	Oct. 1, 1986	
PL 99-83, sec. 717(c) Mexico and International Commerce	Jan. 1, 1986	
PL 99-83, sec. 722(i) Nicaraguan Democratic Resistance Aid for FY86	Nov. 8, 1985, and 90 days thereafter	
PL 99-83, sec. 722(k) Central American Peace Process--Additional Aid	Upon determination	
PL 99-83, sec. 802(b) Regional Programs in Africa	Nov. 8, 1985	
PL 99-83, sec. 813(b) Mozambique Assistance--FY 1986-87	Prior to providing military assistance for FY 86-87	
PL 99-83, sec. 903(b) Amerasian Children in Asia	Not specified	
PL 99-83, sec. 1205 Annual Reports on Economic Conditions in Egypt, Israel, Turkey, and Portugal	Annually, by Jan. 15	
<u>Special Foreign Assistance Act, 1986</u>		
PL 99-529, sec. 203(b) Conditions of Military Assistance to Haiti--FY 1987	Prior to assistance	
PL 99-529, sec. 203(c) Consistency of Haitian Government Actions With Objectives	3 months after certification (under sec. 203(b)) and every 3	
<u>Foreign Operations Appropriations Act, 1988</u>		
PL 100-202, sec. 101(e), title II Reconstruction and Rehabilitation Assistance to El Salvador	Apr. 15, 1988	
PL 100-202, sec. 101(e), title V, sec. 544(d) Amerasian Immigration	Dec. 12, 1988, 1989, 1990	

REPORTING REQUIREMENTS CRS PRINTOUT DATE: 18NOV88

PL 100-202, sec. 101(e), title V, sec. 586 June 1, 1988
Special Ambassadorial Commission for Cyprus and the Aegean

PL 100-202, sec. 111(b)(2)(A) Prior to transportation
Nicaraguan Democratic Resistance

Foreign Operations Appropriations Act, 1989

PL 100-461, sec. 532 Regular notification
Lebanon--Obligation of Funds

PL 100-461, sec. 533(a) 15 days in advance
Notification of U.S. Aircraft Exports to Central America

PL 100-461, sec. 533(b) Promptly
Foreign Country Aircraft to Central America

PL 100-461, sec. 534 15 days in advance
Guatemala's Rural Resettlement Program

PL 100-461, sec. 539 Prior to making available \$5 million in military aid.
El Salvador Investigative Action Regarding the 1981 Murder of U.S. Citizens

PL 100-461, sec. 543 15 days in advance
Obligation of Funds to Sudan, Somalia, Burundi, Liberia, Uganda, and Jamaica

PL 100-461, sec. 555(a) Prior to funding
Aid to Liberia

PL 100-461, sec. 556 Apr. 1, 1989, Sept. 30, 1989
Notification Concerning El Salvador

PL 100-461, sec. 564 Prior to obligation of funds or joint military exercises
Assistance to Panama

PL 100-461, sec. 565 Prior to restoring allocation
Elimination of Sugar Quota Allocation to Panama

PL 100-461, sec. 566(b) Each time an exception is made to the prohibition
Stingers in the Persian Gulf--Bahrain

REPORTING REQUIREMENTS	CRS PRINTOUT DATE: 18NOV68
PL 100-461, title II Assistance to El Salvador--Investigation of Murders	Not specified
PL 100-461, title II Assistance to Mozambique	Prior to making funds available
PL 100-461, title III Military Assistance to Haiti	15 days in advance

APPENDIX -- ASSESSMENTS OF INDIVIDUAL REPORTING REQUIREMENTS

This appendix contains, for each report, a one-page entry that provides the title, a brief summary of the requirement, a statute citation, from whom the report is required, to whom the report is to be made, the frequency required, the date received, the requirement's status, and an assessment of the report. The date received entry may not be up-to-date.

REPORTING REQUIREMENTS

AUTHOR: Tarnoff

ACCESS NUMBER: N0001344

CDS PRINTOUT DATE: 28NOV88

TITLE:

National Advisory Commission on Agricultural Export Transportation Policy Report

REQUIREMENT:

Findings and recommendations of National Advisory Commission on Agricultural Export Transportation Policy (added by Food Security Act, 1985, PL 99-198, sec. 1142).

ASSESSMENT:

(1988) The commission does not appear to have gotten underway and no report was issued. The commission's legislative mandate is to end 60 days after submission of its final report, which was due in December 1987.

OPTIONS OR
OBSERVATIONS:

(1988) Consider repeal of legislation or, if purpose is still considered worthwhile, renew legislation.

LEGISLATION

Merchant Marine Act, 1936
PL 74-835, sec. 901
h. (b)(2), (3)
46 U.S.C. 1241K

FROM WHOM

National
Advisory
Commission on
Agricultural
Export
Transportation
Policy

TO WHOM

Congress

FREQUENCY

December 1986,
December 1987
(final report)

DATE RECD

STATUS

Fulfilled

REPORTING REQUIREMENTS

ACCESS NUMBER: R01213001

AUTHOR: Sanford

CRS PRINTOUT DATE: 28NOV88

TITLE:

U.S. Participation in International Financial Institutions

REQUIREMENT:

Report with respect to U.S. participation in the International Monetary Fund and International Bank for Reconstruction and Development. Through other requirements, the report also covers U.S. participation in six other international institutions: International Development Association, International Finance Corporation, Asian Development Bank, Inter-American Development Bank, Inter-American Investment Corporation, and African Development Bank. Except as specified elsewhere in other reporting requirements, there are no specific items the MAC is to include in its annual report.

ASSESSMENT:

(1988) The MAC annual report is a basic source of information, not only on U.S. participation in the IMF and multilateral development banks (MDBs) but also on other U.S. official international financial transactions. (Much of this information is included at the discretion of the administration, rather than because of reporting requirements.) The MAC annual report is not well known or widely used by general congressional staff. Committee staff and other specialists say, however, that it is a handy source of information. It is also used widely in the relevant executive branch agencies. Most of the information in it is not published anywhere else. The Administration does not consider the MAC report an important or a time-sensitive document. The MAC report usually appears 12-18 months after the close of the fiscal year. The interagency clearance process (seven agencies must agree on its contents) and the low priority given its preparation and printing are said to be the principal reasons for the delay. Most of the actual data are available to the responsible offices at Treasury by January or February following the end of the fiscal year.

OPTIONS OR OBSERVATIONS:

(1988) Retains utility for Congress. Consider consolidating the seven identical requirements as one umbrella requirement. Consider requiring that the MAC report be presented to Congress by March of the following year, so it can be more relevant to the congressional process. If the MAC's interagency clearance process hampers the timely preparation of a meaningful report, the law could be changed to vest the responsibility in the Secretary of the Treasury or the President. The Administration could be directed to strengthen the narrative sections of the report. At present, the report is devoid of relevant data and statistics. Many relevant issues concerning U.S. policy, international financial institutions, and U.S. participation are not included. If the MAC report appeared earlier and were more comprehensive, it could serve as a major vehicle for the Administration's defense and explanation of its policies in the relevant areas. It would not then be essentially a reference or historical document. In that case, the Administration might want to print more than the 1,200 copies it currently prints, and omit some data currently available in other published reports.

LEGISLATION

Bretton Woods Agreements Act
PL 79-171, sec. 4(b)
59 Stat. 513
22 U.S.C. 286b(b)(5)

FROM WHOM

National
Advisory Council
on International
Monetary and
Financial Policies
(Treasury Chairs)

TO WHOM

Congress

FREQUENCY

Annually

DATE RECD

May 21, 1987
(1986 report); May
30, 1985 (1984
report)

STATUS

Active

REPORTING REQUIREMENTS

ACCESS NUMBER: N0001277

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: World Bank Securities and Impact on Development

REQUIREMENT: National Advisory Council on International Monetary and Financial Policies (NAC) to include in its annual report a separate report on (1) the effectiveness of the procedures which exempt the World Bank from SEC and US banking law regulation, and (2) a discussion of how the World Bank's operations assist in financing European reconstruction and the development of economic resources in its member countries.

ASSESSMENT: (1988) The NAC does not appear to have complied with this reporting requirement, added to the BWA Act by sec. 2 of the 1949 bank act amendment law, PL 81-142. Its 1980 reports--which were issued the year after the reporting requirement and the relevant banking law changes were enacted--do not discuss the success of the newly legislated procedures governing the reporting requirement. The NAC's 1981 report surveyed the effectiveness of the reporting status of 1980 securities under state laws, but this is not the same thing. The requirement for an NAC discussion of the World Bank's role in European reconstruction is archaic. The directive that the NAC provide information on the World Bank's role in financing the development of economic resources in its member countries is of current relevance. The NAC's annual discussion of World Bank activities--and the report (required by PL 91-599, sec. 3) on 1988 loans approved during the past year--does provide some general information on this topic, but it is not as specific as the law directs. It seems, from interviews with the relevant executive branch staff, that the executive agencies have forgotten that this reporting requirement exists.

OPTIONS OR OBSERVATIONS: (1988) Consider deleting the requirement for reports on success of the regulatory mechanism for World Bank security and the archaic language about financing European reconstruction. Consider moving language regarding the World Bank's impact on development finance from sec. 15(b) to sec. 4(b)(6), where it cannot be easily overlooked. (There is a drafting error in the original law, Section 15(b) says that the required report shall be included in the NAC report which is mandated by sec. 4(a)(6) of the Bretton Woods Agreements Act. The NAC annual report is actually mandated by sec. 4(b)(6) of the Act.)

LEGISLATION	FROM WHICH	TO WHOM	FREQUENCY	DATE RECD	STATUS
Bretton Woods Agreements Act PL 79-171, sec. 15(b) 22 U.S.C. 286k-1	NAC (Treasury Chairs)	Congress President of the Senate	Annually		Active

REPORTING REQUIREMENTS

TITLE:

Basic Human Needs and the IMF

REQUIREMENT: Report evaluating, to the maximum extent feasible, with respect to countries to which IMF loans are made during each year, the effects of policies of those countries which result from the standby agreements on basic human needs in such countries.

ASSESSMENT :

(1988). This report is seen by few congressional offices. The congressional committees which receive the report do not apparently make little use of it. The information could be very useful if the Department of the Treasury were to chronically late in submitting it to Congress. The report provides detailed information--in some cases, perhaps the only classified form of this information--on amounts and conditions for IMF loans to specific countries and detailed summaries of their basic economic situations. Treasury Department sources say the basic description of the loans and conditions is the most useful part of the report. But the assessments about the impact of the loans on each country and the structure and organization of the country's economy are of little or no use to them. A Treasury Department source says the preparation of the report consumes valuable staff time. Influence on the executive's sensitivity to IMF concerns and its preparation consumes valuable staff time.

OPTIONS OR

OBSERVATIONS:

(1988) Congress might consider replacing this reporting requirement with a requirement that the MAC publish more detailed information in its annual report providing the financial and policy details of IMF loans and economic conditions in the borrower countries. The MAC makes a general report of this nature in its annual report partly in response to sec. 331(c) of the same Act. Alternatively, Congress could publish the sec. 30(b) report and use it as the basis for annual oversight of IMF performance.

LEGISLATION

Bretton Woods Agreement Act
PL 79-171, sec. 30(b)
94 Stat. 1553
22 U.S.C. 286e-9(b)

FROM WHOM

U.S. Governor of Congress

MOBILE OIL

Congress

FREQUENCY

Annually, no less than 180 days after close of calendar year

DATE REC'D

Jan. 22, 1988
(for CY 1986);
Mar. 5, 1986 (for
CY 1984)

STATUS

Active

CBS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: M0001218

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: IMC Report on U.S. Actions and Progress Regarding IMF and Basic Human Needs

REQUIREMENT: Statement detailing the actions and progress made under terms of sec. 33(a) and (b) to promote the adoption of IMF economic adjustment programs which maintain growth, reduce poverty, and meet the basic human needs of the countries' poorest population.

ASSESSMENT:

(1988) Overall, the Administration has not complied with this reporting requirement. The MAC has published in its 1985 and 1986 annual reports, a general statement about basic human needs and IMF activities. In its 1987 report, the Administration plans to provide a more comprehensive discussion of this issue. These reports all focus, however, on actions taken by the IMF or developments in developing country economies. Often, they seem to be a brief summary of the data provided Congress in the individual country reports mandated by sec. 30(b). They provide little information, as the law requires, on the actions and initiatives taken by the United States to promote IMF attention to basic needs concerns. For example, there are no summaries of the IMF and World Bank analyses the United States is to request, or, indeed, any indication if they have been sought. One cannot tell if the Administration is merely failing short on meeting the reporting requirement or if it is failing to meet the policy directives which are stipulated in the law.

OPTIONS OR OBSERVATIONS:

(1988) Consider dropping the requirement or requiring its execution.

LEGISLATION

Bretton Woods Agreement Act
PL 79-171, sec. 33(c)
22 U.S.C. 286a

FROM WHOM

National
Advisory Council
on International
Monetary & Fiscal
Policies

TO WHOM

Congress

FREQUENCY

Annually, to be
included in MAC
annual report

DATE RECD

May 21, 1987
(for 1986)

STATUS

Active

CDS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01213037

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: Debt Service and Support from IMF

REQUIREMENT: Documentation that the requirements of sec. 45(b)(2) may be waived because: (1) an emergency exists in a nation that has applied to the IMF; (2) a sudden decrease in export earnings has occurred in that country; or (3) other extraordinary circumstances exist which warrant waiving the provisions. (Section 45(b)(2) of the law requires U.S. opposition to IMF loans for countries with debt source ratios over 85 percent, unless the adjustment programs associated with those loans reduce a country's debt burden and facilitate economic growth.)

ASSESSMENT: (1988) Section 45(b)(2) is moot and inoperative, so no such findings about use of this "emergency" provision have been filed.

OPTIONS OR OBSERVATIONS:

(1988) Consider revision to make sec. 45(b)(2) more operative or consider deletion of this reporting requirement from the law. (See separate discussion of sec. 45(b)(2).)

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Bretton Woods Agreement Act PL 79-171, sec. 45(c) 97 Stat. 1272 22 U.S.C. 286cc(c)	Secretary of the Treasury	H. Comm on Banking, Finance, and Urban Affairs S. Comm on Foreign Relations S. Comm on Banking, Housing, and Urban Affairs	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: R01213008 CRS PRINTOUT DATE: 28NOV88

TITLE: Trade and Investment Practices/International Monetary Fund Programs

REQUIREMENT: Report as to why the United States supports a request for an IDB or IMF drawing by a country that has not achieved certain targets which United States is to propose for IDB or IMF loan programs.

ASSESSMENT: (1988) Law requires United States to seek the adoption of certain guidelines for MDB and IMF loans, barring their assistance to countries which fail to take steps to eliminate unfair trading practices. Law requires Treasury to report on any occasions which the United States supports loans to countries which have not adopted such specified guidelines. Since the MDBs and IMF have not agreed to the implementation of such guidelines, the reporting requirement has not been triggered.

(1968) This reporting requirement appears to serve no useful purpose, for it is not written in a manner consistent with IMF procedures. If Congress wishes reports whenever loans are made to countries which violate the standards specified in the law, the requirement needs to be rewritten.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Warren Woods Agreement Act PL 79-171, sec. 48(c)(2) 79 Stat. 1275	Secretary of the Treasury	Congress	Upon decision		Active
22 U.S.C. 286gg(c)(2)					

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: R01213043 CRS PRINTOUT DATE: 28NOV88

TITLE: Elimination of Import Restrictions and Export Subsidies

REQUIREMENT: Report including: (1) a statement listing all appraisal reports which have been circulated during the preceding year within the Bank for project assistance; (2) a review of success in reducing or eliminating import restrictions and unfair export subsidies which are inconsistent with international agreements, and which have a serious adverse impact on the United States, or any other member's, exports or employment; (3) a study for the FY 1984 report of the impact on the U.S. steel and copper industries of steel and copper subsidies by nations who are borrowers from the fund; (4) a review for the FY 1984 report regarding progress achieved in reaching the goal of eliminating all predatory agricultural export subsidies which might result in the reduction of other member countries' exports.

ASSESSMENT: (1988) The Administration has not complied with this requirement. Information was published in the 1984 MAC report which satisfied the requirement of items 3 and 4. The MAC has never published any list of loan proposals in the MDBs which might finance competitive products, as required by item 1. (In 1985 and 1986, it printed a short list of loans the United States voted against, but it made no mention of loans which were proposed but did not eventuate.) The MAC's discussion of the general issue, as required by item 2, has been at best perfunctory. The MAC has published, in its 1986 and 1987 reports, a list of major instances where the Administration has opposed foreign import restrictions or export subsidies. No data are provided, however, about any comparable actions taken in the MDBs--a serious omission, as (at least by implication) this was a major goal of the reporting requirement.

OPTIONS OR OBSERVATIONS: (1988) Items 3 and 4 have been fulfilled and need not be retained in law. Consider repeal of item 1. Item 1 is of dubious value--a list of pending loan proposals is of little use to Congress, particularly if it comes out 1-2 years after application is made. Current data are available in any case in the MDBs' monthly operating summaries of loans under consideration, which are publicly available from the banks. Item 2 might be reworked to require the MAC to report more clearly and thoroughly on actions taken respecting competitive products in the MDBs.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Bretton Woods Agreement Act PL 79-171, sec. 50(a)(1-4) 97 Stat. 1276 22 U.S.C. 286b-2	National Advisory Council on International Monetary and Financial Policy	Congress	Annually, as part of MAC's annual report	May 21, 1987 (For 1986); May 30, 1985	Active: 1-2 Fulfilled: 3-4

REPORTING REQUIREMENTS

TITLE: IMF Economic Adjustment Programs and Loans

REQUIREMENT: NAC to include in its annual report (1) copies of the analyses and any written documentation prepared by the Secretary of the Treasury pursuant to subsecs. (b)(2) and (c) of sec. 45 and (2) a statement on progress made in carrying out the subsecs. (a) and (b) of sec. 45.

ASSESSMENT:

(1988) Section 45 of the Bretton Woods Agreements Act requires the Treasury to encourage the IMF and its borrower countries to formulate economic adjustment programs designed to safeguard world trade, international economic growth, employment, and the long-term solvency of international commercial banks. The MAC annual report contains such a review of U.S. policies and activities. Section 45 also requires that the U.S. representatives at the IMF oppose lending to countries whose external debt ratio is greater than 95 percent and separate report for 71 instances where the United States supports such IMF loans. (See reporting requirement for sec. 45(b)-(c) of PL 101-177.)

Section 45 also requires the Treasury to report annually to Congress on the economic growth of the world and on congressional information on this topic. The first reporting requirement here is about as much as could be expected. Subsections of sec. 45 are drafted in such a way as to never be triggered. No analyses or documentation exist to be reported. The Department of the Treasury has failed to comply with the second reporting requirement. Mention of the issue in the 1985 MAC report was perfunctory. The discussion in the 1986 report was somewhat more detailed. Basically, however, it tends to be an overview of the purposes and objectives of the Baker Plan and an assertion that it satisfied the goals set forth in sec. 45. The MAC report provides only limited data (as sec. 50(a)(5) requires) on the economic growth of the world and on the economic growth of the United States. The only examples are given of efforts to safeguard global economic growth. Overall, though, one cannot tell the Treasury is complying with the policy directives of sec. 45 themselves.

OPTIONS OR OBSERVATIONS:

(1988) There is considerable congressional interest in the topic. Consider redrafting the section and requiring that the Department of the Treasury make more detailed reports on the issue in its IMC reports. The requirement might be written so as to assure that alternative views get treated in the report in addition to the views and policies endorsed by the incumbent Administration.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Bretton Woods Agreements Act PL 79-171, sec. 50(a)(5)	NAC (Treasury chairs)	Congress	Annually		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001477

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: Transfer of Defense Articles Exceeding \$1 Million

REQUIREMENT: Intelligence agency heads are to keep House and Senate Committees on Intelligence fully and currently informed of all intelligence activities, including intelligence activities of the President and his staff, and of intelligence activities of the President's committees in a timely fashion or operations other than those intended solely to obtain intelligence for which prior notice was not given. Transfer of defense articles or defense services exceeding \$1 million in value by an intelligence agency to a recipient outside that agency is to be considered a significant anticipated intelligence activity for the purpose of sec. 501, with certain exceptions (added by PL 90-569).

ASSESSMENT: (1988) Existing law would appear to permit intelligence agencies to transfer unlimited amounts without reporting them to Congress as long as no single transfer exceeded \$1 million. There is apparently some congressional dissatisfaction with reporting under this provision. H.R. 3022 would have amended existing sec. 503(a)(1) (and redesignated it as sec. 505(a)(1)) to require reporting of transfers of defense articles or defense services or anticipated transfer in any fiscal year of any aggregation of defense articles or defense services, or shall be considered a significant intelligence activity for the purpose of section 501 of this Act. However, Congress did not approve this bill.

OPTIONS OR OBSERVATIONS: (1988) Congress may wish to amend the phrases "fully and currently informed," and "in a timely fashion," to improve the timeliness of reports, and it may wish to reduce the \$1 million threshold or to specify certain items regardless of price, to improve the value of the reports.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
National Security Act, 1947 PL 80-253, sec. 501, as interpreted by sec. 503	Director of Intelligence agency	S. Select Comm on Intelligence H. Permanent Select Comm on Intelligence	Fully and currently informed or in a timely fashion		Active

REPORTING REQUIREMENTS	AUTHOR: Sanford	ACCESS NUMBER: N0001274	CBS PRINTOUT DATE: 28NOV88		
TITLE:	World Bank Securities				
REQUIREMENT:	Securities and Exchange Commission (SEC) is to include in its annual reports "such information as it shall deem advisable" regarding World Bank securities, including any views presented by associations of registered securities dealers.				
ASSESSMENT:	<p>(1988) A similar requirement exists for the other multilateral development banks (MDB). The SEC has not discussed MDB finances or MDB securities in its reports for several years. In the early days of the MDB program, when these securities were new in the market, special reports were of value to the investment community. Today, however, except with the possible exception of the African Development Bank, MDB securities are generally well-known and accepted. There is little noteworthy for the SEC to say as long as that situation persists. This reporting requirement does not require the SEC to report anything if the SEC chooses not to. The SEC would probably report on the MDBs anyway, if they were to experience any serious deterioration of their finances, given the volume of their securities outstanding. Without the provision, security dealers would not be guaranteed space in the SEC annual report or comments on any SEC discussion of MDB issues. Securities dealers have other avenues, however, for publicizing their views about investment issues.</p> <p>(1988) This requirement may have outlived its purpose. Consider repeal.</p>				
OPTIONS OR OBSERVATIONS:					
LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
National Bank Act Amendments PL 81-142, sec. 3 22 U.S.C. 286k-2	Securities and Exchange Commission	Congress	Annually		Active

REPORTING REQUIREMENTS

TITLE: Sales, Barter, and Use of Foreign Currency Proceeds in Sec. 416 of Agricultural Act of 1949

REQUIREMENT: For the preceding fiscal year, report on sales, barter, and use of foreign currencies, including quantity of commodities furnished for such sale or barter; amount of funds generated; how funds were used; amount of foreign currency proceeds used under agreements in sec. 416(b)(7)(D); and recommendations for changes (added by PL 98-198, sec. 1109).

ASSESSMENT: (1988) According to the Department of Agriculture, this report has never been submitted. Information is now being gathered which will lead to completion of a report later this year.

(1988) Inasmuch as AID develops most of the information necessary for this report, consideration might be given to combining the sec. 416 foreign currency report with the PL 480, sec. 208 foreign currency report (the wording of the two requirements is almost identical) presently produced by AID.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Act, 1949 PK 81-430, sec. 416(b)(9)(B) 7 U.S.C. 1431	Secretary of Agriculture	Congress	Feb 15, 1947, and annually thereafter		Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001341 CBS PRINTOUT DATE: 28NOV68

TITLE: Pilot Barter Program for Exchange of Agricultural Commodities for Strategic Materials

REQUIREMENT: Operation of pilot barter program under which strategic or other materials U.S. does not produce domestically shall be exchanged for agricultural commodities. (Added by sec. 1129 of the Food Security Act, 1985.)

ASSESSMENT: (1988) The Department of Agriculture did not succeed in initiating a barter program. Supporters of barter agreements say that the Department's effort was inadequate. The trade bill (H.R. 4848) contains sense of Congress language calling on the Secretary of Agriculture to expedite implementation of sec. 416(d) authorizing the pilot barter program.

OPTIONS OR OBSERVATIONS: (1988) If Congress still seeks implementation of the program, it could reestablish this requirement under a new deadline or incorporate it into the PL 100, sec. 206(d) report under which much basic information on barter quantities and use of commodities is already a requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Act, 1949	Secretary of Agriculture	Congress	Nov. 30, 1987	Dec. 9, 1987;	Fulfilled
PL 81-438, sec. 416(d)(6)			Nov. 30, 1986	Jan. 21, 1987	
7 U.S.C. 1431					

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001203

AUTHOR: Galdi-Tarnoff

REPORTING REQUIREMENTS

PL 480 Sales--Eligibility of Friendly Countries

Results of periodic review of the status of countries which have been determined to be friendly to the United States and eligible for PL 480 sales agreements.

(1988) This report has not been produced within the memory of any of the congressional staff contacted. One staff member stated that the same purpose was accomplished by the President's submission of a PL 480 aid request, the request being a *prima facie* determination that the country was friendly.

(1988) There appears little reason to retain as a separate report. HFAC staff recommend it be repealed.

	<u>FROM WHOM</u>	<u>TO WHOM</u>	<u>FREQUENCY</u>	<u>DATE RECD</u>	<u>STATUS</u>
103(d)	President	Congress	Periodic		Active

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: N00001207 CRS PRINTOUT DATE: 28NOV88

TITLE: Food Aid to Countries not Included in IDA's Poverty Criteria

REQUIREMENT: Certification when more than 25 percent of food aid is allocated to countries which do not fall within the poverty criteria established for International Development Association assistance that such action is necessary due to (1) humanitarian food purposes; or (2) lack of effective use of commodities which would be required to be allocated to countries meeting IDA criteria.

ASSESSMENT: (1988) This section was placed in PL 480 in 1975 in order to prevent the use by the Administration of PL 480 aid in countries which did not meet the poverty criteria. The last report on this section was in 1977. Because of the very large role played by Egypt and Pakistan--countries that meet the IDA criteria--in recent PL 480 programming, there has been no difficulty providing 75 percent of aid to poverty criteria countries.

OPTIONS OR OBSERVATIONS: (1988) There was some sentiment by a few staff members for deleting this section on grounds it was unnecessary. Others, while agreeing that it had not been used recently, felt it was an appropriate tool to insure the "proper" use of PL 480.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1954 PL 83-480, sec. 111 7 U.S.C. 1711	President	Congress	In each instance		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: M00001209

AUTHOR: Galdi-Tarnoff

REPORTING REQUIREMENTS

TITLE: Commissions or Fees Paid by Suppliers of PL 480 Commodities

REQUIREMENT: Report listing commissions, fees, or other compensation paid by any supplier of a commodity or ocean transportation financed by the Commodity Credit Corporation to any agents, brokers, or other representatives representing the importer or reporting country.

ASSESSMENT: (1988) This reporting requirement was generated by concerns that payments were being made by suppliers of U.S. commodities to agents for the ultimate buyer to insure a sale. Although reports have been filed, no professional staff member in either the House or Senate remembered regularly receiving this report, nor did this currently appear to be a pressing issue.

OPTIONS OR OBSERVATIONS: (1988) While no professional staff member recalled receiving this report, all interviewed believed that the requirement was a good one. One HFAC staff member suggested it be requested when needed. It might be included in the annual PL 480 report.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1964	Secretary of Agriculture	H. Comm on Agriculture	Annually	Apr. 27, 1988	Active
PL 83-480, sec. 115(b)		H. Comm on Foreign Affairs		June 4, 1987	
7 U.S.C. 1715		S. Comm on Agriculture			

STATUS

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N001671 CRS PRINTOUT DATE: 28NOV88

TITLE: Sales, Barter, and Use of Foreign Currency Proceeds in PL 480

REQUIREMENT: For the preceding fiscal year, report on sales, barter, and use of foreign currencies including: quantity of commodities furnished for such sale or barter; amount of funds generated; how funds were used; amount of foreign currency proceeds used under agreements in secs. 206 and 207; and recommendations for changes (added by PL 100-202, sec. 157, the Agricultural Aid and Trade Missions Act, sec. 13).

ASSESSMENT: (1988) The first report describes in some detail secs. 206 and 207 activities for each country under which agreements exist. A chart with figures on commodity values, local currency generated, FY 1987 and 1988 disbursements, and use of funds is included in the report. AID's Office of Food for Peace and Voluntary Assistance took 95 hours to complete the report at an estimated cost of \$3,400 in FY 1988.

OPTIONS OR OBSERVATIONS: (1988) Report appears useful. AID suggests that this and all information on PL 480 foreign currency be combined into a single report to be provided annually.

LEGISLATION	FROM RECORD	TO RECORD	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1954 PL 83-480, sec. 206(b) 7 U.S.C. 1726	President	Congress	Fed. 15, 1988; annually thereafter	June 27, 1988	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001211

AUTHOR: Galdi-Tarnoff

REPORTING REQUIREMENTS

Food for Development Program--Insufficient Projects

TITLE:

REQUIREMENT: Detailed statement that there is an insufficient number of agricultural and rural development projects which qualify for assistance under the Food for Development Program.

ASSESSMENT: (1988) This report must be submitted in order for the President to waive the requirement that Food for Development projects equal in value at least 10 percent of the appropriate value of Title I aid in a given fiscal year. This report has been received by Congress only once—in 1989—since the requirement was established in 1977, presumably because the minimum standard has been met in other years. Congressional staff members interviewed stated that they wished to continue the requirement; however, only one was particularly concerned with the operations of the Food for Development Program.

OPTIONS OR OBSERVATIONS: (1988) Requirement remains of continuing congressional interest.

LEGISLATION

Agricultural Trade
Development and Assistance
Act, 1954
PL 83-480, sec. 302(c)(2)
7 U.S.C. 1727a(c)

FROM NOW

President

TO WHOM

Congress

FREQUENCY

Upon occurrence

DATE RECD

1981

STATUS

Act 1v

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: M0001671 CRS PRINTOUT DATE: 28NOV88

TITLE: Sales, Barter, and Use of Foreign Currency Proceeds in PL 480

REQUIREMENT: For the preceding fiscal year, report on sales, barter, and use of foreign currencies including: quantity of commodities furnished for such sale or barter; amount of funds generated; how funds were used; amount of foreign currency proceeds used under agreements in secs. 206 and 207; and recommendations for changes (added by PL 100-202, sec. 157, the Agricultural Aid and Trade Missions Act, sec. 13).

ASSESSMENT: (1988) The first report describes in some detail secs. 206 and 207 activities for each country under which agreements exist. A chart with figures on commodity values, local currency generated, FY 1987 and 1988 disbursements, and use of funds is included in the report. AID's Office of Food for Peace and Voluntary Assistance took 95 hours to complete the report at an estimated cost of \$3,400 in FY 1988.

OPTIONS OR OBSERVATIONS: (1988) Report appears useful. AID suggests that this and all information on PL 480 foreign currency be combined into a single report to be provided annually.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1964 PL 83-480, sec. 206(b) 7 U.S.C. 1726	President	Congress	Feb. 15, 1988; annually thereafter	June 27, 1988	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001211

AUTHOR: Galdi-Tarnoff

REPORTING REQUIREMENTS

Food for Development Program--Insufficient Protections

TITLE:

REQUIREMENT: Detailed statement that there is an insufficient number of agricultural and rural development projects which qualify for assistance under the Food for Development Program.

ASSESSMENT :

(1968). This report must be submitted in order for the President to waive the requirement that Food for Development projects equal in value at least 10 percent of the aggregate value of Title I agreements in a given fiscal year. This report has been received by Congress only once—in 1982—since the requirement was established in 1977, presumably because the minimum standard has been met in other years. Congressional staff members interviewed stated that they wished to continue the requirement; however, only one was particularly concerned with the operations of the Food for Development Program.

OPTIONS OR

OBSERVATIONS: (1988) Requirement remains of continuing congressional interest.

LEGISLATION

Agricultural Trade
Development and Assistance
Act, 1964
PL 83-480, sec. 302(c)(2)
7 U.S.C. 1727a(c)

FROM MOBILE

President

TO WHOM

Congress

FREQUENCY

Upon occurrence

DATE RECD

1981

STATUS

Act 1v

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: N0001212 CRS PRINTOUT DATE: 28NOV88

TITLE: Food for Development Program and Relatively Least Developed Countries

REQUIREMENT: Determination that a country which is on the UNCTAD list of relatively least developed countries, but cannot meet the requirements for assistance under the Food for Development Program as prescribed in sec. 303, needs such assistance to meet important humanitarian or developmental objectives.

ASSESSMENT: (1988) This report has never been received, and no staff member indicated any interest in it.

OPTIONS OR
OBSERVATIONS: (1988) There appears to be little reason to retain. HFAC staff recommended repeal.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1954 PL 83-480, sec. 304(c) 7 U.S.C. 1727(c)	President	Congress	Upon occurrence		Active

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: N0001213 CRS PRINTOUT DATE: 28NOV88

TITLE: Review of Food For Development Agreements

REQUIREMENT: Review of all agreements under title III of PL 480, the Food for Development Program, in which proceeds from the sale of agricultural commodities were not fully disbursed during the preceding fiscal year.

ASSESSMENT:

(1988) The report required by sec. 307(a) is, as required by the legislation, included in the PL 480 annual report in a section devoted to title III of the Act. Fulfillment of the requirement is coordinated by USDA with AID input. It takes AID's Bureau of Food for Peace and Voluntary Assistance an estimated 962 hours to complete the report, at a cost of \$31,600. Nevertheless, AID also noted that comprehensive reviews must be undertaken in any case due to the complexity of the legislative conditions on this assistance.

OPTIONS OR OBSERVATIONS:

(1988) None of the congressional staff interviewed expressed any interest in this section, though none recommended its deletion. Remains potentially useful, but is usually delivered late within the annual PL 480 report.

LEGISLATION

Agricultural Trade
Development and Assistance
Act, 1964
PL 83-480, sec. 307(a)
7 U.S.C. 1727f(a)

FINAL REVIEW

President

10 REVIEW

Congress

FREQUENCY

Annually, as
part of sec.
408(a) report (by
Feb. 18)

DATE RECD

April 1987

STATUS

Active

REPORTING REQUIREMENTS

AUTHOR: Galdi-Tarnoff

ACCESS NUMBER: R00212008

TITLE: Annual Report on Public Law 480

CIS PRINTOUT DATE: 28NOV88

REQUIREMENT: Report with respect to the activities carried out under the Agricultural Trade Development and Assistance Act of 1954; also to include a description of the progress of each country with which agreements are in effect in carrying out its agreements under the act's provisions regarding the sale of agricultural commodities for foreign currencies and long-term dollar credit.

ASSESSMENT: (1988) The FY 1987 PL 480 annual report had not been received as of July 1988, even though the law states that it is due no later than February 15 of each year. Earlier annual reports were even more tardy. There was general agreement that the annual report is extremely useful. However, some congressional staff members said that they did not use the report. They said that it was too repetitive and that the PL 480 annual report be produced in a timely manner. They also said that it was too long and that it should be prepared by the country progress reports which make up only part of the annual report. USOA coordinates compilation of the entire report. AID reports that because many other, often competing, reporting requirements are due at the same time that new programs are being established, timely submission is difficult.

OPTIONS OR

OBSERVATIONS: (1988) Seek method to insure that the report be submitted in a timely fashion. Consider inclusion of all non-time sensitive PL 480-related reports and sec. 416 (of the Agriculture Act of 1948) activities in this omnibus report.

LEGISLATION

Agricultural Trade
Development and Assistance
Act, 1954
PL 83-480, sec. 408(a)
80 Stat. 1537
7 U.S.C. 1746b

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Annually, by
Feb. 15

DATE REC'D

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: W0001295 CRS PRINTOUT DATE: 28NOV88

TITLE: Global Assessment of Food Production and Needs and Planned Programming of Food Assistance

REQUIREMENT: Annual report on global assessment of world food production and needs, and semiannual reports on the status of planned programming of PL 480 titles I and II assistance. (Title II added by PL 99-53, sec. 1006.)

ASSESSMENT: (1988) Subsection 408(b) establishes requirements for two reports: the global assessment of world food production and needs; and semiannual reports on the status of planned programming of PL 480 title I (also title II after 1985) for the current fiscal year. Delivery of the world food assessment, now entitled "World Food Needs and Availability," has been extremely timely in the recent past. But the reports have not been received before the fiscal year begins, which has caused the UNCTAD to be unable to make the necessary status report to the UNCTAD. This is highly useful. According to AID, the reports cost \$18,500 and take 600 work hours annually to complete.

OPTIONS OR OBSERVATIONS: (1988) Reports remain very useful. Consider steps to insure timely submission.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Agricultural Trade Development and Assistance Act, 1964 PL 88-480, sec. 408(b) 89 Stat. 854 7 U.S.C. 1746 b	President	Congress	Annually, by Sept. 30; Planned programming by semiannually by Dec. 31 and June 30	Aug. 8, 1988	Active
				July 13, 1988	May
				16, 1988	Apr. 27.
				1988: Feb. 17.	
				1989: Jan. 16.	
				1989: Oct. 21.	
				1987: Sept. 8.	
				1987: Apr. 30.	
				1987: Apr. 7.	
				1987: July 14.	
				1986: Apr. 10.	
				1986	

REPORTING REQUIREMENTS

AUTHOR: Galdi-Tarnoff

ACCESS NUMBER: R00212010

CIS PRINTOUT DATE: 28NOV88

TITLE: Comparative Cross-Country Evaluation of PL 480 Programs

REQUIREMENT: A comparative cross-country evaluation of food assistance programs conducted under titles II and III of this act; the evaluations shall cover no fewer than five countries sampled from developing regions (Asia, Africa, Latin America, and the Caribbean) and shall assess nutritional and other impacts, achievements, problems, and future prospects for these programs.

ASSESSMENT: (1988) A cross-country evaluation of PL 480 programs, due in 1983, was actually completed in June 1985. AID estimates that it took 571 hours and cost \$18,500 to complete this report. There is no record of it having been submitted to the Congress, however, and the report provided by AID makes no mention of the congressional reporting requirement. The report covers activities from 1980-1985 under the title II program only, pulling together and comparing results from all single project evaluations that were done during this period. A new report is currently being planned for early 1989. There was no indication of interest in it by any of the congressional staff interviewed. It was felt that reports covering the same data could be requested specifically by Congress from AID, USDA, or the congressional support agencies such as the CRS or the GAO if needed. This requirement was seen as, simultaneously, too specific and too general. House Committee on Foreign Affairs staff recommended repealing the requirement.

OPTIONS OR OBSERVATIONS: (1988) Congress may wish to consider repealing requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Trade Development and Assistance Act, 1954 PL 83-480, sec. 408(c) 86 Stat. 854 7 U.S.C. 1750b	President	Congress	Oct. 1, 1978, and at 5-year intervals thereafter		Active

CBS PRINTOUT DATE: 28NOV83

REPORTING REQUIREMENTS

AUTHOR: Galdi-Tarnoff

ACCESS NUMBER: N00001214

TITLE: Regulations Governing PL 480 Title I

REQUIREMENT: Copy of revised regulations governing all operations under title I of this Act.

ASSESSMENT: (1988) The Department of Agriculture has regularly provided copies of the revised regulations concerning PL 480 operations. The last update that we have been able to identify was received in April 1988. However, according to congressional staff members, the regulations were not regularly used by them in their work.

(1988) As the Department of Agriculture prepares regulations in the course of its operations, and congressional staff have indicated no regular use, this reporting requirement might be considered for elimination and regulations obtained by individual staff request as the need arises.

LEGISLATION

Agricultural Trade
Development and Assistance
Act, 1954
PL 83-480, sec. 408(d)
7 U.S.C. 1748b(d)

FROM

**Secretary of
Agriculture**

MOORE OIL

Congress

ACKNOWLEDGMENTS

Biennially

DATE RECD

Apr 11 1945

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001222 CRS PRINTOUT DATE: 28NOV88
 TITLE: International Finance Corporation Activities
 REQUIREMENT: Participation of the United States in the International Finance Corporation.

ASSESSMENT: (1988) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b).

OPTIONS OR
 OBSERVATIONS: (1988) Retains utility for Congress. Congress may wish to consider consolidating the seven requirements as one umbrella requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ.	STATUS
International Finance Corporation Act PL 84-350, sec. 4 22 U.S.C. 282c	IMC	Congress	Annually, as part of IMC report		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: H00001223 CRS PRINTOUT DATE: 28NOV88

TITLE: Inter-American Development Bank Activities

REQUIREMENT: Participation of the United States in the Inter-American Development Bank.

ASSESSMENT: (1988) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b)

OPTIONS OR OBSERVATIONS: (1988) Retains utility for Congress. Congress may wish to consider consolidating the seven similar requirements as one umbrella requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Inter-American Development Bank Act PL 86-147, sec. 4 22 U.S.C. 283b	IMC	Congress	Annually, as part of IMC report		Active

REPORTING REQUIREMENTS
AUTHOR: Sanford
ACCESS NUMBER: N0001276
CRS PRINTOUT DATE: 28NOV08

TITLE: Inter-American Development Bank Exempt Securities

REQUIREMENT: Information regarding Inter-American Development Bank securities, including any views presented by associations of registered securities dealers.

ASSESSMENT: (1988) The SEC has not made the required reports. See assessment under PL 81-142, sec. 3.

OPTIONS OR OBSERVATIONS: (1988) This report may have outlived its purpose. Congress may wish to consider repeal.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Inter-American Bank Act PL 86-147, sec. 11(b) 22 U.S.C. 263h	Securities and Exchange Commission	Congress	Annually		Active

REPORTING REQUIREMENTS

TITLE: Inter-American Development Bank Securities and Impact on Development

REQUIREMENT: National Advisory Council on International Monetary and Financial Policies (NAC) to include in its annual report a separate report on (1) the effectiveness of the procedures which exempt the Inter-American Development Bank (IDB) from SEC and U.S. banking law regulation, and (2) a discussion of how these techniques have influenced the IDB's role in financing development in its member countries.

ASSESSMENT:

(1988) The MAC has never complied with this reporting requirement. This reporting requirement focuses solely on the possible impact the U.S. system for regulating IOB securities might have on IOB finances and on the IOB's capacity to finance Latin American development. Though similar, the terms of this requirement are not the same as those for the required report on the Impact of World Bank securities regulations and the World Bank's impact on development. The legislation is worded in such a way as not to require—as the reporting requirement on the World Bank does—any additional reports on the IOB's impact on its member countries' development. This IOB reporting requirement is also very different from the existing reporting requirement on the impact of the IOB's securities regulations established in the U.S. capital markets. There are no comparable provisions for the other regional multilateral development banks.

OPTIONS OR OBSERVATIONS: (1988) Consider dropping the provision or change into a requirement similar to the requirement (sec. 15(b) of Bretton Woods Agreement Act, PL 79-171) that Treasury report annually on the development impact of World Bank operations.

LEGISLATION	FROM INFO	ID INFO	FREQUENCY	DATE REC'D	STATUS
Inter-American Development Bank Act PL 86-147, sec. 12 22 U.S.C. 2831	NAC (Treasury chairs)	Congress	Annually		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: H00001226 CRS PRINTOUT DATE: 28NOV86

TITLE: International Development Association Activities

REQUIREMENT: Participation of the United States in the International Development Association.

ASSESSMENT: (1986) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b)(5).

OPTIONS OR OBSERVATIONS: (1986) Retains utility for Congress. Congress may wish to consider consolidating the seven requirements as one umbrella requirement.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
International Development Association Act PL 86-368 22 U.S.C. 284b	MAC	Congress	Annually, to be included in the MAC report		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: M00001183

AUTHOR: Tarnoff

REPORTING REQUIREMENTS

TITLE: Private Sector Revolving Fund

REQUIREMENT: Description of projects proposed to be funded under Private Sector Fund.

ASSESSMENT:

(1988) In the Congressional Presentation Document (CPD), AID has provided general information about the Private Sector Revolving Fund and discussed broad program areas in which specified amounts will be spent. The CPD does not provide detailed information on country or functional projects that are to be funded. AID officials state that such data are not available when the CPD is drafted, but are provided later in congressional notifications under sec. 634 of PL 87-195, as required in this reporting requirement.

OPTIONS OR
OBSERVATIONS:

(1988) If Congress needs more detailed information at an early stage in considering funding legislation, it could modify this reporting requirement to specify the data it wants in the CPD or could request AID to include more detail in the CPD rather than waiting to place it in the 634 report. But specific projections of activities to be conducted two years hence, according to AID, are not possible.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 108(g)
22 U.S.C. 2151f(g)

FROM WHOM

AID

TO WHOM

Congress

FREQUENCY

Annually, as
part of
congressional
presentation

DATE REQD

Apr. 21, 1987

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: M00001186 CRS PRINTOUT DATE: 28NOV88

TITLE: Private Sector Revolving Fund -- Activities

REQUIREMENT: Report of projects funded under the Private Sector Revolving Fund during the previous year, all referrals to the revolving account, and a status report on all projects contained in the fund's portfolio.

ASSESSMENT: (1988) Established in 1983, the Private Sector Revolving Fund is a critical component of AID's private enterprise initiative for development strategy. The three annual reports submitted since enactment of sec. 108 have been useful in providing extensive information on the operations of the fund, how it was administered, its characteristics, the loan portfolio for the previous year, and the future outlook. According to AID, it takes 428 man-hours to complete the report and costs \$14,400. AID finds the report to be useful for its own public relations and internal management purposes.

OPTIONS OR OBSERVATIONS: (1988) Requirement remains useful.

LEGISLATION	FINL. ACTION	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1981 PL 97-185, sec. 108(h) 22 U.S.C. 2151f(g)	President	Congress	Annually, by December 31	Jan. 27, 1988; Jan. 12, 1987; Jan. 23, 1986	Active

REPORTING REQUIREMENTS

TITLE: Human Rights Violations and Aid Reaching Intended Recipients

REQUIREMENT: Information demonstrating that development aid to a country determined to be in gross violation of human rights standards will directly benefit the needy people of such country.

ASSESSMENT: (1988) Report has never been requested as far as could be determined. Consensus of interviewees was that requirement should be retained since such a report could lead to further congressional action to terminate assistance if needy people requirement is not met in a recipient country with severe human rights problems.

OPTIONS OR OBSERVATIONS:

(1988) Requirement is not a current reporting burden on executive, but provides a potentially useful congressional tool, should executive and Congress disagree on statutory human rights requirements.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 116(b) 22 U.S.C. 2151n(b)	AID Administrator	H. Comm on Foreign Affairs S. Comm on Foreign Relations	Upon request		Active

REPORTING REQUIREMENTS

ACCESS NUMBER: R01019002

AUTHOR: Bito

TITLE:

CDS PRINTOUT DATE: 28NOV88

Human Rights Status in U.N. Member Countries

REQUIREMENT: Report regarding the status of internationally recognized human rights in countries that receive development assistance.

ASSESSMENT:

(1988) This is the major annual "Country Report on Human Rights Practice" which also fulfills the requirement in sec. 502(b). Annual human rights country reports have become quite institutionalized so that for many countries the task is merely briefly updating last report; for problem countries, task is more difficult and time-consuming. Reports provide information vital to congressional decision-making, is an educational vehicle for FSOs and of interest to large NGO community, the press, U.S. public, and even other governments. It is viewed by most as detailed, well-documented source of information on human rights conditions. Some critics continue to feel that the report should be compiled outside the State Department, while others feel that the reports contain significant omissions, distortions, or biases based on U.S. policy toward a given nation.

OPTIONS OR
OBSERVATIONS:

(1988) Report is widely used, centerpiece of U.S. human rights law.

LEGISLATION

Foreign Assistance Act,
(1981)
PL 87-185, sec. 116(d)(1)
91 Stat. 537
22 U.S.C. 2151n(d)

FROM WHOM

President

TO WHOM

S. Comm on Foreign
Relations
Speaker of the
House

FREQUENCY

Annually, by
Jan. 31

DATE RECD

Jan. 29, 1988;
Feb. 3, 1987; Jan.
31, 1986

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Bite ACCESS NUMBER: W0001283 CRS PRINTOUT DATE: 28NOV88

TITLE: Alternatives of AID Programs for Human Rights Reasons

REQUIREMENT: Steps AID administrator has taken to alter U.S. programs because of human rights considerations

ASSESSMENT: (1988) Brief annual certification that AID is implementing human rights law. If a country has serious human rights problems, AID requires that assistance to that country directly benefit the needy, even though that country has not been designated a gross violator. AID supports continuation of this report. AID estimates that it costs 38 work hours and \$1,400 to prepare.

OPTIONS OR OBSERVATIONS: (1988) This requirement appears useful for congressional oversight of human rights policy.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 116(d)(2)	Secretary of State	Speaker of House S. Comm on Foreign Relations	Annually, by January 31	Jan. 28, 1988	Active

REPORTING REQUIREMENTS

AUTHOR: Abbas1

ACCESS NUMBER: N0001471

CDS PRINTOUT DATE: 29NOV88

TITLE: Protection of Tropical Forests

REQUIREMENT: Each annual report required under PL 87-195, sec. 634(a) to include report on sec. 118 relating to conservation and management of tropical forests; and extent to which actions proposed by Agency meet the needs (added by PL 99-529, sec. 301).

ASSESSMENT:

(1988) AID combined in one report this requirement and the one on biological diversity. This is a rational result of the fact that many projects on one will also address the other. The resulting 140-page report is an extensive collection of data and information on tropical forestry and biological diversity programs by type and by region. A large number of new activities have been initiated over the past two years and are reported. Additional sections of the report discuss connections with other AID functions or priorities: use of private voluntary organizations (PVO) and Non-Governmental Organizations (NGO), cooperation with other U.S. agencies and other donor organizations, monitoring trends, and the report includes a valuable collection of information on tropical forestry and biological diversity programs. The report has been organized to allow updating of basic project and regional data annually, with topics and issues selected for discussion in future reports. AID estimates that the report costs \$57,800 to prepare and consumes 476 work hours. Because the report framework has now been established with future updates in mind, it can be expected that subsequent reports will not be as costly as the initial effort.

OPTIONS OR OBSERVATIONS:

(1988) Regarded as valuable both within and outside AID. If combined in a larger annual report, some say it would have been used more fully. All comments on one of the projects included Congress in requiring the report; the high priority and visibility of tropical forestry and biological diversity programs within AID and a good detailed source of information on these programs.

LEGISLATION

Foreign Assistance Act,
1988
PL 87-195, sec. 118

FROM WHOM

Agency for
International
Development (AID)

TO WHOM

Congress

FREQUENCY

Annually

DATE REC'D

Apr. 2, 1987

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Biological Diversity in Developing Countries

REQUIREMENT: Annual report under PL 87-196, sec. 634(a) to include as separate volume report on implementation of sec. 119 relating to protecting biological diversity (requirement added by PL 99-528, sec. 302).

ASSESSMENT: (1988) Combined with report on Protection of Tropical Forests. See comments in that section (PL 87-195, sec. 118).

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations	Annually by Feb. 1	July 28, 1968; Mar. 10, 1968; Mar. 10, 1967	Active
PL 87-195, sec. 119(h)		Speaker of the House			
97 Stat. 1045					
22 U.S.C. 2151q(d)					

Sahel Development Program

REQUIREMENT: Report on the Sahel Development Program concerning the allocation of the U.S. contribution to the Program, the extent of the contributions from other donor countries, the effectiveness of the integrated effort through the Club des Ais de Sahel, and the progress made in achieving the objectives of the Program.

ASSESSMENT: This requirement was added by sec. 115(3) of the International Development and Food Assistance Act of 1977 (PL 95-88). The report, submitted since 1978, provided a useful progress report on the Sahel Development Program. Although it lacked a table clearly indicating the allocation of the U.S. contribution, for FY 1983 and 1989, the Development Fund for Africa funds all programs for sub-Saharan Africa. Thus, the Sahel Development program is no longer an active account. Pending H.R. 3100 language would repeal the Sahel Development Program authorization and the reporting requirement. AIO believes that information included in the Congressional Presentation regarding Sahel countries is adequate. AIO estimates the total costs required to prepare the annual report are \$16,721 and 200 work hours.

(1988) The reporting requirement could be repealed as the Sahel Development Program is no longer a functioning account. Congress may want to stipulate that similar information be provided in the Congressional Presentation, or that a specific report be submitted for the Development Fund for Africa.

LEGISLATION

Foreign Assistance Act.

1961

PL 87-195, sec. 121

91 Stat. 539

FROM MOSES

President

IO 4001

Unspecified

EXHIBIT

Annually

DATE RECD

July 7, 1986: 1986
June 25, 1985: 1985

STATIS

Act 1vo

REPORTING REQUIREMENTS
 TITLE: Continuing AID-Funded Private Voluntary Assistance in Prohibited Countries
 AUTHOR: McHugh
 ACCESS NUMBER: R17701008
 CRS PRINTOUT DATE: 28NOV88
 REQUIREMENT: Report setting forth the reasons for continuing support of programs of private and voluntary organizations and cooperatives in countries prohibited from receiving aid under this or any other Act.

ASSESSMENT: (1988) This reporting requirement, first added in 1980, alerts Congress to the fact that, although U.S. law may prohibit U.S. aid to the government of a certain country, American assistance continues to support the activities of private organizations operating in such countries. For the most part, the executive branch has continued aid through private groups in countries which have fallen more than one year behind in payment on loans owed the United States and are consequently prohibited from future aid by the Brooke amendment. The submissions have been brief, but contain the required justification for the continuance of assistance.

OPTIONS OR OBSERVATIONS: (1988) Remains useful; consider amending subsection to require the President to also identify the aid account under which the private groups will continue to receive assistance.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations (Chairman)	Not later than 1 year after prohibition becomes effective	July 13, 1988; June 15, 1988; Dec. 18, 1987; Aug. 25, 1987; (Brazil); Aug. 5, 1987; (Argentina); Dec. 15, 1986; (Brazil); Feb. 28, 1986 (Brazil); Sept. 29, 1982 (Ghana); June 14, 1982 (Nicaragua)	Active
PL 87-195, sec. 123(e)					
94 Stat. 3147					
22 U.S.C. 2151u(e)					

REPORTING REQUIREMENTS

ACCESS NUMBER: N0001377

AUTHOR: Tarnoff

TITLE: Trade Credit Insurance Credits Report

REQUIREMENT: Report on amount and extension of credits during preceding 6-month period.

ASSESSMENT: (1988) The Administration has been submitting this report as required, and the information provided is useful to Congress in its oversight of the Trade Credit Insurance Program. The report, prepared by the Export-Import Bank, is also useful to AID in monitoring the progress of the program.

OPTIONS OR OBSERVATIONS: (1988) The report is considered useful in its present form. IFAC staff suggest that consideration be given to making the requirement an annual report.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1981-1985, sec. 224(g)	AID: Export-Import Bank President	S. Comm on Foreign Relations Speaker of House	Semiannually	June 7, 1988; Apr. 18, 1987; Apr. 21, 1985; Apr. 25, 1984 (22143); Apr. 19, 1983 (22143); Apr. 17, 1982 (21087)	Active

REPORTING REQUIREMENTS

TITLE: OPIC Civil Strife Insurance

REQUIREMENT: Report with respect to the issuance of civil strife insurance including a thorough analysis of the risks to be covered, anticipated losses, and proposed rates and reserves.

ASSESSMENT: (1988) The Administration reported to Congress in 1982 describing the types of risk to be insured under civil strife insurance and how the insurance would be issued and administered. Since then the program has not been changed so as to require a further report.

OPTIONS OR OBSERVATIONS: (1988) Retention of the provision will require the Administration to report any major changes proposed for the program, thereby providing important oversight information. HFAC staff support retention of provision.

LEGISLATION	FROM WHICH	TO WHICH	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1981	OPIC	H. Comm on Foreign Affairs	60 days prior to issuing or expanding insurance	1982	Active
PL 87-195, sec. 234(a)(4)		S. Comm on Foreign Relations			
22 U.S.C. 2194(a)					

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001616 CRS PRINTOUT DATE: 28NOV88

TITLE: OPIC Audit Report

REQUIREMENT: Report of results of financial and compliance audit of the financial statements of the Corporation performed by an independent certified public accountant at least once every three years (added by PL 98-204, sec. 11).

ASSESSMENT: (1988) Both 1988 and 1987 audit reports, conducted by Peat, Marwick, Main, and Co., were submitted in the OPIC annual reports for those years.

OPTIONS OR OBSERVATIONS: (1988) Requirement serves a congressional purpose. IFAC staff have noted that the report is not very useful, but is necessary.

LEGISLATION	FINANCIAL	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1951, sec. 239(c) PL 87-185, sec. 239(c)	Overseas Private Investment Corporation	Congress	Within 6 1/2 months after end of fiscal year covered	Mar. 1988; Mar. 30, 1987	Active

REPORTING REQUIREMENTS
ACCESS NUMBER: R17702001
CRS PRINTOUT DATE: 28NOV88

AUTHOR: Tarnoff

TITLE: Overseas Private Investment Corporation Activities

REQUIREMENT: Report of the operations of the Overseas Private Investment Corporation; report to include an assessment of the economic and social development impact and benefits of each project, its insured or financed and investment to which its operations complement or are compatible with U.S. development assistance programs. The report shall also include a description of any projects for which the Corporation withheld financial support due to violations of human rights or provided support in spite of such violations, and effect of projects on U.S. employment.

ASSESSMENT: (1988) This reporting requirement is fulfilled by the OPIC Development and Audit Report; one of three reports prepared annually by OPIC. It contains more detailed information than that provided in the other public reports and responds to the reporting requirement. It is a source of valuable information to Congress which does not have such opportunity to oversee the work of OPIC. OPIC's reduced activities since 1985 have expressed concern that the funds used to finance its projects are used rather than actual benefits. Maximum insurance coverage rather than current insurance coverage is given. Some of these concerns have been addressed in legislation.

OPTIONS OR OBSERVATIONS: (1988) Reporting requirement remains useful. Consider modifying to require that reports be more specific, that estimates be clearly identified, and that actual figures also be given.

<u>LEGISLATION</u>	<u>FROM WHOM</u>	<u>TO WHOM</u>	<u>FREQUENCY</u>	<u>DATE RECD</u>	<u>STATUS</u>
Foreign Assistance Act, 1961 PL 87-195, sec. 240A(a) 83 Stat. 918 22 U.S.C. 2200a(a)	Overseas Private Investment Corporation	Congress	Annually, end of Fiscal Year	Mar. 8, 1988; May 6, 1987	Active

REPORTING REQUIREMENTS

AUTHOR: Tarnoff

ACCESS NUMBER: N0001349

CMS PRINTOUT DATE: 28NOV88

OPIC Effects on U.S. Employment

TITLE:

REQUIREMENT:

Report analyzing actual effects, as of Sept. 30, 1986, on employment in the United States of all projects insured or guaranteed by Overseas Private Investment Corporation as of that date, with specified information. Written description of proposed methodology to be submitted by Sept. 30, 1986, to facilitate consultation with House Committee on Foreign Affairs and Senate Committee on Foreign Relations on that methodology. (Added by PL 99-204, sec. 14.)

ASSESSMENT:

(1988) The proposed methodology for undertaking this report was approved by congressional committees on Nov. 12, 1986. The report, whose data was analyzed by the consulting firm of Arthur Young, found that OPIC-assisted projects have "significant positive impacts" on domestic employment. In OPIC's view, the finding confirms the effectiveness of its own screening and estimation of U.S. economic effects. A GAO study (May 5, 1987) has questioned its effectiveness.

OPTIONS OR

OBSERVATIONS:

(1988) Requirement remains useful; requirement could be made periodic. HFAC staff recommended that the requirement be updated pursuant to the results of the OPIC report and the recommendations of the GAO study and that the requirement be made annual.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 240A(c)

FROM WHOM

Overseas Private
Investment
Corporation

TO WHOM

Congress

FREQUENCY

Sept. 30, 1986
(methodology);
Dec. 31, 1987
(final)

DATE RECD

December 1987;
July 14, 1986

STATUS

Fulfilled

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: R17701002 CRS PRINTOUT DATE: 28NOV88

TITLE: Annual Report of Activities Pursuant to Title XII of the Foreign Assistance Act

REQUIREMENT: Report detailing the activities carried out to prevent famines and provide freedom from hunger during the preceding fiscal year; report to contain a projection of programs and activities to be conducted during the subsequent five fiscal years and a summary of the activities of the Board for International Food and Agricultural Development.

ASSESSMENT: (1988) This report has been received regularly and in a timely fashion. Until 1985, it was delivered as a separate report. Since then it has been included in the main volume of the AID Congressional Presentation. The two congressional staff members who used it were satisfied with the report's coverage.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION

Foreign Assistance Act,
1961-1995, sec. 300
PL 87-185, sec. 300
89 Stat. 862
22 U.S.C. 2220a

FROM WHOM
President

TO WHOM
Congress

FREQUENCY
Annually, by
April 1

DATE REQ
February 1988

STATUS
Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: R00110020 CRS PRINTOUT DATE: 28NOV88

TITLE: Voluntary Contributions by the United States to International Organizations

REQUIREMENT: Report listing all voluntary contributions by the United States to international organizations; each such report shall specify the Government agency making the contribution, the international organization to which the contribution was made, the amount and form of the contribution, and its purpose; contributions shall be listed on both an agency-by-agency basis and an organization-by-organization basis. The legislation also defines contribution and discusses how and when agencies should report such contributions.

ASSESSMENT: (1988) This report provides valuable information to the Congress in a much more timely manner than the report on U.S. contributions to international organizations, which contains some of the same information. Members and staff of the House and Senate have expressed interest in the report and have requested that the report be made available to all agencies; nor is it certain that the money included actually comprises contributions. The report is vigorously defended by some congressional staff members and disliked by staff of the Office of Management and Budget and the Department of State who compile it. They claim it provides little new information and is very difficult to compile.

OPTIONS OR OBSERVATIONS: (1988) Requirement serves a useful purpose but committee staff and OMB/State might discuss and agree on format and contents of the report as well as how to ensure compliance by all agencies.

LEGISLATION

Foreign Assistance Act,
1961-1965, sec. 308(b)(1)
94 Stat. 3157
22 U.S.C. 2226(b)(1)

FROM WHOM

President:
Office of
Management and
Budget

TO WHOM

Congress

FREQUENCY

Semiannually,
July 1 and Jan. 1

DATE RECD

Sept. 7, 1988,
covering Oct.
1986-Mar. 1988,
Feb. 18, 1988;
Sept. 9, 1987,
covering Oct.
1986-Mar. 1987;
Feb. 19, 1987;
Apr. 8, 1986;
Sept. 12, 1985,
covering October
1984 to March 1985

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R17701027

AUTHOR: Nowels

REPORTING REQUIREMENTS

TITLE: Use of Foreign Aid Continuity Funds

REQUIREMENT: Report on the use of the authority to provide emergency assistance for any emergency purposes with respect to assistance authorized by part I (development aid) of this Act.

ASSESSMENT:

(1988) This requirement provides Congress with important information on how the President utilizes a particularly flexible and significant authority, Section 451, which was enacted as part of the original Foreign Assistance Act of 1961. Offers the President the discretion to draw on foreign aid funds to meet unanticipated, emergency requirements. Currently, the President may use up to \$10 million for such purposes--although in past years, Congress had authorized as much as \$300 million for purposes authorized under sec. 451. The President has used this authority infrequently in recent years, but usually for circumstances that are of particular interest to Congress. The most recent use of this authority occurred in 1985--twice for aid to the Afghan people and once for the citizens affected by emergency assistance provided on the Caspian Sea. The aid to the Afghan people was for the purchase of medicine, food, and clothing, and the aid to the citizens affected by emergency assistance was for the purchase of medicine, food, and clothing. The reports also identified the source from which the funds would be taken in order to respond to these emergencies.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations	Promptly	June 3, 1985;	Active
PL 87-195, sec. 451(a)(2)		S. Comm on Appropriations		May 7, 1985; Mar. 4, 1985	
95 Stat. 1550		Speaker of the House			
22 U.S.C. 2201(a)(2)					

REPORTING REQUIREMENTS AUTHOR: Harper-Day ACCESS NUMBER: N0000113 CRS PRINTOUT DATE: 28NOV88

TITLE: Central American Development Organization

REQUIREMENT: Development of a proposal to establish a Central American Development Organization.

ASSESSMENT: (1988) State Department officials had agreed to consult and keep informed interested congressional parties concerning the Central American Development Organization (CADO). The last consultation occurred in early 1986, as part of a hearing. According to the State Department, a former ambassador was contracted to assess and make recommendations on ways to overcome problems that are stymieing the establishment of CADO. The final report has been submitted to State, although it has not yet been widely circulated. (State Department anticipates circulating the report at the working level in Central America and to Congress.) The report's recommendations include the proposal that CADO should be established at the grassroots level and not at the regional level. According to the State Department, administration may push for a new initiative, however, at the present time, creation of CADO is not anticipated anytime soon.

OPTIONS OR OBSERVATIONS: (1988) Congressional staff members have expressed an interest in retaining the requirement. However, since there are no immediate plans to establish the organization, Congress may want to delete this requirement, and a similar provision in sec. 464(d)(2), until developments warrant such a requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 464(d)(1)	AID Administrator	H. Comm on Foreign Affairs S. Comm on Foreign Relations	Fully and currently informed		Active

REPORTING REQUIREMENTS AUTHOR: Harper-Day ACCESS NUMBER: N00001132 CRS PRINTOUT DATE: 28NOV68

TITLE: Central American Development Organization Agreement

REQUIREMENT: Copy of any agreement that would establish and provide for U.S. participation in a Central American Development Organization.

ASSESSMENT: (1968) No agreement yet negotiated, thus there is nothing to forward. Congressional staff suggest that this requirement remains potentially useful.

OPTIONS OR OBSERVATIONS: (1968) In the absence of immediate plans to establish the organization, requiring a copy of the agreement would appear to serve no useful purpose. Consider repealing this report until developments warrant such a requirement.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, 1950	President	U.S. Com on Foreign Affairs	60 days prior to signature		Active
PL 87-195, sec. 464(d)(2)		U.S. Com on Foreign Relations			
22 U.S.C. 2274(d)(2)					

REPORTING REQUIREMENTS

TITLE: Programming of Narcotics Control Funds

REQUIREMENT: Report on the programing and obligation, on a calendar quarter basis, of funds used prior to such date for international narcotics control.

ASSESSMENT: (1988) These quarterly reports are considered useful and responsive by congressional staff and this reporting requirement does not add substantially to the department of State's workload as they keep these figures anyway. Report copies are also sent to the Appropriations Committee.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement, together with the current practice of sending copies to the Appropriations Committees, continues to have legislative relevance.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations	Quarterly: August 15; November 15;	Feb. 18, 1966	Active
PL 87-195, sec. 481(b)(1) 1961 Stat. 719		H. Comm on Foreign Affairs	February 15; May 15		
22 U.S.C. 2281(b)(1)					

REPORTING REQUIREMENTS
 TITLE: International Narcotics Control Assistance Activities
 AUTHOR: Per1
 ACCESS NUMBER W00001102
 CRS PRINTOUT DATE 28NOV08

REQUIREMENT: Midyear report on the activities and operations carried out under the International Narcotics Control Assistance Program. Report to include status of each agreement concluded with other countries to carry out international narcotics control activities

ASSESSMENT: (1988) This midyear report updates the annual report provided Congress under sec. 481(a). It is detailed, useful, widely read, and seen as having a significant impact on congressional attitudes. Conditions on sensitive issues and comparability of data are seen by some as areas where reporting could be improved. The report is prepared by the Department of State Bureau of International Narcotics Matters. Despite good faith efforts of those preparing it, it tends to be submitted approximately 30 days after the statutory due date.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement continues to have strong legislative relevance. One modification which might be considered could be requesting a supplementary classified "Annex."

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 481(d)(2) 22 U.S.C. 2291(b)	President	Speaker of the House Senate Committee on Foreign Relations	Annually, by Aug 1		Active

REPORTING REQUIREMENTS AUTHOR: Perl ACCESS NUMBER: R00504012 CRS PRINTOUT DATE: 28NOV88

TITLE: Health Effects of Spraying of Herbicides on Marijuana

REQUIREMENT: Determination that persons who may use or consume marijuana that has been sprayed with a herbicide to eradicate such marijuana in a program receiving aid under this chapter, are exposed to amounts of the herbicide that are harmful to their health.

ASSESSMENT: (1988) Such a report has, to date, not been sent. However, quarterly testing of samples by the Centers for Disease Control in theory might discover a sufficient level of herbicides to trigger such a report, which would then be jointly prepared by the Centers for Disease Control with the National Institute for Drug Abuse.

OPTIONS OR
OBSERVATIONS: (1988) This reporting requirement has a defensible function.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 481(d)(2) 95 Stat. 1538 22 U.S.C. 2291(d)(2)	Secretary of Health and Human Services	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR PERIOD ACCESS NUMBER WOOD001162 CRS PRINTOUT DATE 28NOV88

TITLE INTERNATIONAL NARCOTICS CONTROL ASSISTANCE ACTIVITIES

REQUIREMENT Midyear report on the activities and operations carried out under the International Narcotics Control Assistance Program Report to the use status of each agreement concluded with other countries to carry out international narcotics control activities

ASSESSMENT (1988) This midyear report updates the annual report authorized Congress under sec. 481(e). It is detailed, useful, widely read, and seen as having a significant impact on congressional attitudes. Candoriness on sensitive issues and completeness of data are seen by some as areas where reporting could be improved. The report is prepared by the Department of State Bureau of International Narcotics Matters. Despite good faith efforts of those preparing it, it tends to be submitted approximately 30 days after the statutory due date.

OPTIONS OR OBSERVATIONS (1988) This reporting requirement continues to have strong legislative relevance. One modification which might be considered could be requesting a supplementary classified annex.

LEGISLATION

Foreign Assistance Act.	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
PL 87-195, sec. 481(b)(2)	President	Speaker of the House	Annually, by Aug 1		Active
22 U.S.C. 2291(d)		Senate Committee on Foreign Relations			

REPORTING REQUIREMENTS AUTHOR: Perl ACCESS NUMBER: R00504012 CRS PRINTOUT DATE: 28NOV88

TITLE: HEALTH EFFECTS OF SURVIVAL OF HERBICIDES ON MARIJUANA

REQUIREMENT Determination that persons who may use or consume marijuana that has been sprayed with a herbicide to eradicate such marijuana in a program receiving aid under this chapter, are exposed to amounts of the herbicide that are harmful to their health.

ASSESSMENT (1988) Such a report has, to date, not been sent. However, quarterly testing of samples by the Centers for Disease Control in theory might discover a sufficient level of herbicides to trigger such a report, which would then be jointly prepared by the Centers for Disease Control with the National Institute for Drug Abuse.

WILLING IN (1988) This reporting requirement has a defensible function.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
<p>Foreign Assistance Act, Pub. Law 96-486, 48 Stat. 2201-2202 22 U.S.C. 2291a-12</p>	Secretary of Health and Human Services	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: R00101035 CRS PRINTOUT DATE: 28NOV88

TITLE: U.S. Policy on International Narcotics Control

REQUIREMENT: Report on U.S. policy to establish and encourage an international strategy to prevent the illicit cultivation and manufacture of and traffic in narcotic and psychotropic drugs and other controlled substances, with specified information. A copy of the report goes to the U.S. International Narcotics Control Commission under sec. 814(e) of PL 99-93. Section 481(f) and (g) call for consultations to review the situation, to be printed in Congressional Record, and hearings by Senate Committee on Foreign Relations and House Committee on Foreign Affairs. Further modified by PL 99-570, sec. 2008, to include cooperation in extradition efforts, sec. 9001, and PL 100-204, sec. 805.

ASSESSMENT: (1988) This annual report is the most widely read and useful of reports provided by the Administration on international narcotics control. Hearings are sometimes held based on the information contained in the report and often the report receives coverage in the press. The report is detailed and contains statistical data and analysis on a country-by-country basis. Reporting requirements added by PL 99-83, sec. 606 include information relating to foreign government involvement in illicit drug trafficking. Some suggest that the report would be more useful if data would be more comparable within years and from year to year and would include both U.S. and worldwide consultation material. Others suggest that the report shies away from pointing directly to corruption in specific countries and that it is too general. The report is prepared by the Department of State, Bureau of International Narcotics Matters. AID staff spends approximately 25 work hours reviewing the report, usually making little substantive input.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement has strong legislative relevance. One modification which might be useful would be to request a supplementary classified "Annex" on a regular basis which would deal more freely with politically sensitive issues such as corruption and government complicity.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations (Chairman)	Annually, by Mar. 1	Mar. 2, 1988;	Active
PL 87-195, sec. 481(e)		Speaker of the House		Mar. 3, 1987	
97 Stat. 1851					
22 U.S.C. 2291(e)(1)					

REPORTING REQUIREMENTS

AUTHOR:

ACCESS NUMBER: N0001701

CRS PRINTOUT DATE: 28NOV88

Report on Major Drug-Producing or Drug-Transit Countries

REQUIREMENT: Report to identify major drug-producing or drug-transit countries including definition used to determine such drug-transit countries for the purpose of withholding requirements contained in subpara. (A) of sec. 493(h) and the certification requirements in para. (2). (Added by PL 100-461, sec. 575.)

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR
OBSERVATIONS:

LEGISLATION

Foreign Assistance Act.
1961
PL 87-195, SEC. 481(n)(1)

FROM WFOU

**Secretary of
State**

TO WHOM IT MAY CONCERN:

Congress

FREQUENCY

Annua'y by
October 1

DATE RECD

STATUS

Active/App

REPORTING REQUIREMENTS AUTHOR: Per-1 ACCESS NUMBER: N00001190 CDS PRINTOUT DATE: 28NOV68

TITLE: Certification of Major Illicit Drug-Producing or -Transit Countries

REQUIREMENT: Certification that a major illicit drug-producing or drug-transit country has cooperated fully with the United States or has taken adequate steps to control illicit production of narcotic drugs, or the vital national interest of the United States is thereby substantially protected. (101(a), Title IV, sec. 585, which requires that beginning in FY 1969 each country also must enter into a bilateral narcotics agreement with the United States. Section 461 includes an inclusive list of elements that must be contained in a bilateral agreement.

ASSESSMENT: (1968) This law provides the Congress with substantial leverage over decisions to grant foreign assistance to major illicit drug-producing or drug-trafficking countries.

OPTIONS OR OBSERVATIONS: (1968) Serves a congressional purpose. "Major illicit drug-transit" country could be clearly defined in terms of quantitative amounts of transit narcotics and ultimate destination of transit drugs.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE BEC	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 481(h)(2) 22 U.S.C. 2291(h)	President	Congress	Prior to lifting aid suspension	Mar. 2, 1968; Mar. 3, 1967	Active

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: N0001509 CRS PRINTOUT DATE: 28NOV88

TITLE: International Narcotics Control Act of 1988

REQUIREMENT: Detailed plan for expenditures of funds for FY 1987, including description of how regional cooperation on narcotics control matters would be promoted by use of funds (requirement added by PL 98-570, sec. 2002).

ASSESSMENT: (1988) Plan provided information required to obtain funding.

OPTIONS OR
OBSERVATIONS: (1988) This requirement has been fulfilled.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 482(a)(1)	President	Congress	Prior to appropriation of specified funds	Jan. 6, 1987	Fulfilled

REPORTING REQUIREMENTS: AUTHOR: Per1 ACCESS NUMBER: N0001399 CRS PRINTOUT DATE: 28NOV88

TITLE: Records of Aircraft Provided to Foreign Countries for Narcotics Control

REQUIREMENT: Records on use of any aircraft made available to a foreign country under International Narcotics Control Act of 1986 to be made available to Congress.

ASSESSMENT: (1988) Records are being maintained by the Department of State. They have never been requested and are only to be made available after a specific request for such information.

OPTIONS OR OBSERVATIONS: (1988) These records are being maintained independently of this requirement and would be available upon request without this requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 485	Secretary of State	Congress	Upon request of H. Comm on Foreign Affairs (Chairman) or S. Comm on Foreign Relations (Chairman)		Active

REPORTING REQUIREMENTS

TITLE: Waiver of Human Rights Prohibition for Police or Law Enforcement Aid or Equipment Export

REQUIREMENT: Certification that extraordinary circumstances exist warranting provision of security assistance to the police, domestic intelligence or similar law enforcement forces of a country, and for the export of crime control equipment to a country whose government engages in a consistent pattern of gross violations of internationally recognized human rights.

ASSESSMENT: (1988) Report requirement has never been triggered because no country has been declared a gross violator of internationally recognized human rights. A State Department report is submitted annually certifying that all security assistance programs are in compliance with sec. 502B or that national security requires continuation of assistance.

OPTIONS OR OBSERVATIONS: (1988) Requirement is not a current reporting burden on executive, and is a potentially useful congressional tool.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1961	President	Speaker of the House	Upon occurrence		Active
PL 87-195, sec. 5028(a)(2)		S. Comm on Foreign Relations (Chairman)			
92 Stat. 731					
22 U.S.C. 2304(a)(2)					

REPORTING REQUIREMENTS AUTHOR: Bite ACCESS NUMBER: R01019008 CRS PRINTOUT DATE: 28NOV88

TITLE: Waiver of Human Rights Prohibition for Security Assistance

REQUIREMENT: Certification that extraordinary circumstances exist warranting provision of assistance for military education and training for military and related civilian personnel of foreign countries whose government engages in a consistent pattern of gross violations of internationally recognized human rights.

ASSESSMENT: (1988) Reporting requirement has not been directly triggered because no country has been designated a gross violator of internationally recognized human rights. A State Department report is submitted annually certifying that all security assistance programs are in compliance with sec. 502B of that national security requires continuation of assistance.

OPTIONS OR OBSERVATIONS: (1988) Requirement is not a current reporting burden for executive and is potentially useful as a congressional tool.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 502B(a)(2)
92 Stat. 732
22 U.S.C. 2304(a)(2)

FROM WHOM

President

TO WHOM

Speaker of the
House
S. Comm on Foreign
Relations (Chairman)

FREQUENCY

Upon occurrence

DATE RECD

1984, 1983, 1982

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Bite ACCESS NUMBER: R01018007 CRS PRINTOUT DATE: 28NOV88

TITLE: Status of Human Rights in Countries Receiving Security Assistance

REQUIREMENT: Report with respect to practices regarding observance of and respect for internationally recognized human rights in each country proposed as a recipient of security or development assistance and in all other foreign countries which are members of the United Nations.

ASSESSMENT: (1988) Requirement has been met by submission of continuous human rights country reports prepared in response to sec. 116(d) requirement and submitted annually to Congress on Jan. 31. Additionally, a State Department certification is submitted annually assuring that U.S. international security assistance programs are formulated and conducted in a manner which will promote and advance human rights and avoid identification of the United States with governments which deny to their people internationally recognized human rights.

OPTIONS OR OBSERVATIONS: (1988) The centerpiece annual "Country Reports on Human Rights Practice" submitted under sec. 116(d) appears to meet much of this requirement. The requirement remains useful, however, because it connects human rights and security assistance.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1991 PL 97-185, sec. 502B(b) 50 Stat. 748 22 U.S.C. 2304(b)	Secretary of State and the Assistant Secretary for Human Rights	Congress	Annually, as part of congressional presentation	Jan. 29, 1988; Feb. 3, 1987; Jan. 31, 1986	Active

REPORTING REQUIREMENTS AUTHOR: Bite ACCESS NUMBER: R01019008 CBS PRINTOUT DATE: 28NOV88

TITLE: Designated Country's Observance of Human Rights

REQUIREMENT: Statement with respect to a designated country setting forth all available information about observance of and respect for human rights and fundamental freedom in that country and a detailed description of practices by the recipient government. The statement should include the opinion of the Secretary of State as to whether extraordinary circumstances exist which necessitate a continuation of security assistance for that country and, if so, a description of the circumstances and the extent to which such assistance should be continued and whether it is in the national interest of the United States to provide such assistance.

ASSESSMENT: (1988) A report was requested in 1976 by the House Committee on Foreign Affairs, on Argentina, Haiti, Indonesia, Iran, Peru, and the Philippines. Department of State responded with classified reports. An unclassified version was later printed by the Committee. In each case, the State Department felt that security assistance should be continued. In 1980, Representative James Collins, under this section, introduced a resolution on inquiry requesting information on Department of State implementation of U.S. human rights policies and objectives regarding 22 listed countries. A hearing was held by the House Foreign Affairs Committee to respond to his concerns and his resolution of inquiry was tabled. This requirement potentially forms the heart of sec. 502B provisions since such a report is required for each country. In practice, Congress has restricted this requirement to security assistance to the reported-on country. In practice, Congress has restricted this requirement to security assistance to the reported-on country. In practice, Congress has restricted this requirement to security assistance to the reported-on country. Instead enacting specific legislation outside the sec. 502B framework, affecting assistance to a given country for human rights reasons.

OPTIONS OR OBSERVATIONS: (1988) Requirement is central to congressional leverage for human rights reasons over U.S. assistance programs.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 502B(c) PL 87-748 22 U.S.C. 2304(c)	Secretary of State and Assistant Secretary for Human Rights	S. Comm on Foreign Relations H. Comm on Foreign Affairs	Within 30 days of request	1976	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001155

AUTHOR: Bite

REPORTING REQUIREMENTS

TITLE: Utilization of Authority Relating to Human Rights

REQUIREMENT: Report specifying country for which an aid prohibition because of human rights policy is being lifted, amounts and kind of assistance to be provided, and a justification for providing assistance, including description of the significant improvements which have occurred in the country's human rights record.

ASSESSMENT: (1988) A situation triggering such a report has not yet occurred since enactment of this requirement in 1985.

OPTIONS OR

OBSERVATIONS: (1988) Remains potentially useful.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 502 B(g)
22 U.S.C. 2304

FROM WHOM

President

TO WHOM IT MAY CONCERN:

Congress

FREQUENCY

Upon occurrence

DATE RECD

STATISTICS

Act 1v

REPORTING REQUIREMENTS

ACCESS NUMBER: N00001191

AUTHOR: Shuey

TITLE: Termination of Grant Military Aid

CDS PRINTOUT DATE: 28NOV88

REQUIREMENT: Determination that grant military assistance shall be terminated to a country which is in violation of any agreement governing the use, transfer, or security of defense articles or services provided under such assistance.

ASSESSMENT: (1988) Congress has not received a report under this section for, at least, the last several years. No such reports are likely to be issued in the near future because the Defense Department (DOD) no longer transfers equipment under the Military Assistance Program (MAP). Rather, DOD merges funds granted under MAP with Foreign Military Sales (FMS) credits and then sells arms, equipment and services, under the FMS program. A similar provision applies to such sales (see PL 90-629, sec. 3(c)). House Committee on Foreign Affairs staff recommends the provision be retained.

OPTIONS OR OBSERVATIONS: (1988) It might be useful to retain this provision as long as grant transfers of equipment are authorized by the Act even though the Defense Department does not currently use this channel, and as long as MAP-granted equipment is in the possession of foreign countries.

LEGISLATION

Foreign Assistance Act,

PL 95-905, sec.

505(d)(2)(A)

22 U.S.C. 2314(d)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Upon
determination

DATE REQ

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01013021

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: **Possible Violation of a Military Assistance Program**

REQUIREMENT: Report that a violation of an agreement regarding the use of defense articles or services provided to a foreign country or international organization as grant military assistance under this Act may have occurred.

ASSESSMENT: (1988) Congress has received no reports under this section in recent years and is not likely to in the near future because the Defense Department does not currently transfer articles under this program. The terms of the requirement are ambiguous, as are those of the similar requirement for possible violations of arms sales agreements (PL 90-629, sec. 31(c)(2)).

OPTIONS OR
OBSERVATIONS: (1988) It could be useful to specify more precisely the conditions that require a report. HFAC staff recommends the provision be made more precise and retained.

LEGISLATION

Foreign Assistance Act.

1961
91 97-10E 600

PL 87-195, sec.
505(d)(2)(B)

505(d)(2)(B)
90 Stat. 754

22 U.S.C. 2314(c)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Promptly

DATE RECD

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N00001192 CRS PRINTOUT DATE: 28NOV88

TITLE: Discrimination by Military Assistance Program Recipient

REQUIREMENT: Report concerning any transaction in which any U.S. person is prevented by a foreign government on the basis of race, religion, national origin, or sex, from participating in the furnishing of grant, military aid (further information may be requested by the Committees on Foreign Affairs and Foreign Relations).

ASSESSMENT: (1988) If such discrimination occurred, Congress would want to be informed. See similar provision for military sales and credits in PL 90-629, Sec. 5(d). House Committee on Foreign Affairs staff recommends the provision be retained.

OPTIONS OR OBSERVATIONS: (1988) Although the Military Assistance Program (MAP) is not currently being used to transfer arms, and discrimination is apparently not occurring, repeal of the provision might be misinterpreted as indicating a lack of congressional interest.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 505(g) 22 U.S.C. 2314(g)	President	Speaker of House S. Comm on Foreign Relations (Chairman)	Promptly		Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: R00408010 CRS PRINTOUT DATE: 28NOV88

TITLE: Report of Emergency Military Assistance Drawdown

REQUIREMENT: Determination that an unforeseen emergency exists which requires immediate military assistance to a foreign country or international organization, requiring the drawdown of defense articles from the stocks of the Department of Defense, defense services, and military education and training, of an aggregate value not to exceed \$75 million in any fiscal year; such authority effective only upon prior notification to specified committees. The FY 1988 appropriations (PL 100-202, sec. 101(e), sec. 558) requires the President to submit a new notification before articles, services, or training are furnished if the articles were not delivered or the services or training were not initiated within 120 days of the former notification.

ASSESSMENT: (1988) Section 506(a) requires notification in accordance with sec. 652 before the President uses the authority of sec. 506. Section 652 requires a justification and a statement of the extent the authority will be used and also applies to sec. 610. The President sends his determination of an emergency under sec. 506(a) with little detail or justification. The Secretary of State then sends further detail and justification. Months later, the Defense Department sends Congress a detailed description of the items drawdown and supplied to the foreign country, under the requirement of sec. 506(a) or the requirement of sec. 506(b) to keep Congress fully and currently informed.

OPTIONS OR OBSERVATIONS: (1988) Sections 506(a), 506(b), and 652 (except for the portion relating to 610) and sec. 558 of the appropriations act could be combined into a single series of reporting requirements. House Committee on Foreign Affairs staff agrees it could be useful for one executive branch office to submit all determinations and reports so that they all reach the proper committees, are delivered without delay, and contain all needed data. Defense Department states that secs. 506(a) and 652 are required before a drawdown and are not the responsibility of Defense, whereas sec. 506(b) provides notification of actual deliveries by Defense under the emergency authority. DOD concludes the provisions should remain separate. The apparent choice is whether DOD, State Department or Congress should coordinate the reporting on emergency drawdowns.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, PL 100-195, sec. 506 93 Stat. 702 22 U.S.C. 2318	President	H. Com on Appropriations H. Com on Foreign Affairs S. Com on Appropriations S. Com on Foreign Relations	Upon determination	None in 1988; 11 under sec. 596(a) in 1987; 14 under sec. 596(b) in 1987	Active

REPORTING REQUIREMENTS

AUTHOR: Shuey

ACCESS NUMBER: N00001193

CDS PRINTOUT DATE: 28NOV88

TITLE: New Stockpiles of Defense Articles for Foreign Countries

REQUIREMENT: Report on each new stockpile of defense articles and each addition to any existing stockpile having a volume in excess of \$10 million in any fiscal year.

ASSESSMENT: (1988) No reports have been submitted for several years during which DOD has added articles only to the stockpiles in Korea because it interprets the authorization granted in this section to add to the Korean stockpiles (ranging from \$85 million to \$260 million in recent years) as negating the requirement to report under subsec. 514(e). The FY 1988 Appropriation Act (PL 100-202) added Thailand to the countries in which a stockpile may be located outside a U.S. military base.

OPTIONS OR OBSERVATIONS: (1988) If congressional committees want information on additions to the stockpiles in Korea and Thailand, they could inform the Assistant Secretary of Defense for Production and Logistics. If they do not need such information on Korean or Thai stockpiles, they could change the requirement of 514(e) to exclude additions to the stockpiles in Korea and Thailand. HFAC staff members favor the repeal of this provision.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 514(e)
22 U.S.C. 2321n(e)

FROM HOUSE

President

TO HOUSE

Congress

FREQUENCY

Promptly

DATE RECD

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R00101014

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: Waiver of the Numerical Limitation on the Number of Members of the US Armed Forces that May be Assigned in a

REQUIREMENT: Designation that U.S. national interests require that more than six members of the Armed Forces be assigned to carry out international security assistance programs in a foreign country. The law authorizes 16 countries by name to have more than six U.S. military personnel in these programs.

ASSESSMENT:

(1988) Each year for the last several years, the executive branch has reported waiving this limitation for additional countries. However, U.S. personnel have been sent from the United States to more than 170 countries with more than six U.S. security assistance personnel assigned to each country. The total number of U.S. service personnel assigned in such roles has also remained fairly constant. Congress reportedly remains interested in limiting the number of U.S. personnel in these programs, but Administration officials say that the reporting requirement in sec. 515(c)(1) overlaps the requirement in sec. 515(c)(2), and Arms Export Control Act (PL 90-629). sec. 25(a)(6) and 36(a)(7)(A). House Committee on Foreign Affairs staff recommends retaining this provision.

OPTIONS OR OBSERVATIONS:

(1988) This reporting requirement is seen as useful in helping Congress to monitor the number of countries in which more than six U.S. service personnel are involved in security assistance management and to understand the justification for adding personnel above the limitation. However, some efficiency could be gained by combining this report with those required by sec. 515(c)(2) of this Act and by secs. 25(a)(6) and 36(a)(7)(A) of PL 90-629.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, (98 Stat. 198)	President	H. Comm on Foreign Affairs	30 days prior to introduction of additional personnel	Mar. 14, 1986; Jan. 14, 1985	Active
PL 87-195, sec. 515(c)(1)	96 Stat. 1527	S. Comm on Foreign Relations		Feb. 2, 1984; Jan. 19, 1983; Jan. 7, 1983; May 10, 1982	Active
22 U.S.C. 2321(c)(1)					

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: M00001194 CRS PRINTOUT DATE: 28NOV88

TITLE: Increase in U.S. Security Assistance Management Personnel

REQUIREMENT: Notification that the total number of members of the Armed Forces assigned for overseas management of security assistance programs shall exceed the number previously justified to the Congress in the presentation materials.

ASSESSMENT: (1988) Several of these reports have been made in the last few years, sometimes in conjunction with the requirement under 515(c)(1) when the number of personnel will exceed the number justified in the presentation materials and will exceed six. The quarterly report under sec. 50(a) PL 90-629, also lists the number of U.S. officials in the presentation materials and the number of personnel under sec. 25(a) of that Act requires an analysis of reimbursed services performed by U.S. Government personnel.

OPTIONS OR OBSERVATIONS: (1988) Administration officials believe that this requirement is excessive because it requires a separate report to Congress each time the number of personnel in a foreign country goes beyond the number justified in the CPD, even when the number is below six. An option would be to repeal this requirement and expand the report under 515(c)(1) to include notification that the number of personnel is in excess of six and will exceed the number justified in the presentation materials. HFAC staff concludes that at least the two provisions in sec. 515(c) should be consolidated. Reports required by secs. 25(a)(6) and 30(a)(7)(A) of PL 90-629 could also be integrated with the 515 reports.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, PL 87-195, sec. 515(c)(2)	Department of Defense	U. S. Com on Foreign Affairs S. Com on Foreign Relations	30 days in advance	Chad, Sept. 8, 1987; Djibouti, Nov. 30, 1987; Oct. 19, 1987; United Kingdom, June 15, 1987; Niger, Jan. 9, 1987; Bahrain, June 19, 1986; Jan. 14, 1985; Feb. 2, 1984; Jan. 30, 1984; Jan. 19,	Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N0001483 CRS PRINTOUT DATE: 28NOV88

TITLE: Transfer of Excess Defense Articles to Southern Flank Countries

REQUIREMENT: Notification of proposed transfer of excess defense articles to Southern Flank countries, including a certification of the need for the transfer and assessment of impact on military readiness of the United States (added by PL 99-661, sec. 1101).

ASSESSMENT: (1988) The report is infrequently submitted (two were received in 1987; none in the first half of 1988) and is said to be an administrative burden to the Defense Department. However, it provides a means of oversight and addresses potentially significant information of concern to Congress. House Committee on Foreign Affairs staffs recommend retaining the requirement.

OPTIONS OR OBSERVATIONS: (1988) Report remains useful to Congress.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 516(c)	President	S. Comm on Armed Services S. Comm on Foreign Relations H. Comm on Armed Services H. Comm on Foreign Affairs	30 days prior to transfer	Dec. 8, 1987; Mar. 27, 1987	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001113

AUTHOR: Nowels

REPORTING REQUIREMENTS

TITLE: ESF Funds

REQUIREMENT: Justification for the uses and purposes of the Economic Support Fund.

ASSESSMENT:

(1988) This report, made part of AID's Congressional Presentation Document (CPD), was added in 1985 as a result of Congressional concern that the Economic Support Fund (ESF) be sufficiently justified by the Executive Branch. A comparison between AID's discussion of ESF in the FY 1986 CPD--submitted before enactment of this requirement--and the justification presented in CPDs for subsequent years suggests that AID has made gradual improvements in meeting the requirement. The ESF justification contained in the FY 1989 CPD is the most comprehensive to date. AID seems to have expanded its discussion of ESF program achievements and provided more specific information concerning the use of local currencies. A major improvement in the report for FY 1989 is a table showing trends in ESF obligations over the past 10 years by type of assistance: project aid, commodity import programs, and cash transfers/balance of payments aid. The composition of ESF assistance, which this table illustrates, has been a growing matter of interest to Congress in recent years. Section 531(c) of the U.S.C. requires that this information be given in future foreign aid authorization and appropriation bills. This table in the FY 1989 CPD apparently responds to a request made by the House Committee on Appropriations in its report on H.R. 3186 (FY 1988).

OPTIONS OR OBSERVATIONS:

(1988) Requirement remains useful---consider amending to specify time period of coverage for the ESF composition table. As Congress considers new ESF reporting requirements in future foreign aid authorization and appropriation bills, consideration might be given to folding these into this existing annual ESF report.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 531(c)
22 U.S.C. 2346(c)

FROM WHOM

AID

TO WHOM

Congress

FREQUENCY

Annually, as
part of
congressional
presentations

DATE RECD

February 1988;
February 1987;
February 1986

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Administration of Justice in Latin America and Caribbean

REQUIREMENT: Notification under reprogramming procedures, of the amount and nature of proposed assistance to strengthen the administration of justice in countries in Latin America and the Caribbean. Authority for program and reporting requirement expires Sept. 30, 1989.

ASSESSMENT: This requirement, added by PL 99-83, sec. 712, reflects the congressional insistence that U.S. aid for administration of justice programs be carefully developed and fully reviewed by the foreign policy committees to avoid any abuses. This reflects a longstanding congressional concern about U.S. association with police programs in Latin America tainted with human rights abuse, which led, in 1974, to a prohibition of the use of U.S. aid for police training. Section 534 contains a limited and carefully controlled exemption to the prohibition on police training for certain specified activities.

(1988) Remains useful as a mechanism for monitoring the amount and type of assistance provided under the administration of justice program.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	Administration	H. Comm on Foreign Affairs	15 days in advance of fund obligations	Feb. 10, 1968;	Active
PL 87-195, sec. 534(d)		S. Comm on Foreign Relations		Apr. 7, 1966	
22 U.S.C. 2348c(d)					

REPORTING REQUIREMENTS AUTHOR: Broome-Shuey ACCESS NUMBER: M00001166 CRS PRINTOUT DATE: 28NOV88

TITLE: Transfers of Articles on the U.S. Munitions List under the Anti-Terrorism Assistance Program

REQUIREMENT: Fifteen days prior notification that articles on the U.S. Munitions List will be made available to a foreign country under the Anti-Terrorism Assistance Program, in accordance with reprogramming notifications under sec. 634A.

ASSESSMENT: (1988) When chapter 8 of the Foreign Assistance Act of 1961 was amended in 1985 to allow for the transfer of these items, some leaders, recalling previous difficulties and the congressional ban on assistance to foreign law enforcement officials, expressed concern that the new provisions might be abused by the receiving government. Thus, the reporting requirement was included as of June 1988. No reports have been submitted under sec. 573 (d)(4)(B), but one 634A report submitted in 1985 concerned police training.

OPTIONS OR OBSERVATIONS: (1988) In view of continuing concerns in Congress, this requirement remains useful and Congress may wish to monitor closely for implementation. The reference to sec. 634A makes the report less easily identified or found and could be eliminated.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, 1961	President	H. Comm on Foreign Affairs	15 days prior to the transfer of articles	Nov. 18, 1985	Active
PL 87-195, sec. 573(d)(4)		S. Comm on Foreign Relations		(Police training in El Salvador)	

22 U.S.C. 2348aa-2

REPORTING REQUIREMENTS AUTHOR: Browne-Mootton ACCESS NUMBER: M00001195 CRS PRINTOUT DATE: 28NOV88

TITLE: Prior Notification of Antiterrorism Assistance--The "30-Day" Report

REQUIREMENT: Notice that assistance will be provided to a country under the Anti-Terrorism Assistance Program. A report must be submitted not less than 30 days prior to giving aid. Identifying the country, the type and value of the assistance, the terms and duration of the assistance and an explanation of how the assistance will further the objectives of the ATA program in deterring terrorism.

ASSESSMENT: (1988) ATA is divided into three phases. During Phase I, senior officials from a participating government come to the United States for a two-week seminar on U.S. policy and tactics and federal, state, and local government agencies involved in combating terrorism. Thereafter, in Phase II, U.S. officials visit the country to negotiate the types of assistance that might be provided. Both phases are completed before the executive branch can provide aid. Since the executive branch does not know the details of ATA to be provided until Phase I and II are completed. Currently, the report submitted pursuant to sec. 574(a)(1) only identifies the names of potential participating nations for the ATA program. Both executive branch officials and committee staff agree that it is impossible to provide in the "30-day" report the detailed information cited in sec. 574 (a)(1) before the ATA program has started. Such detailed information is not provided in a written follow-up report although committee staff are briefed, both in person and by phone, on the progress of the program. When Congress was notified on Sept. 24, 1985, that El Salvador was a potential participating nation, a second 30-day report was requested, to provide the details of the ATA to be given to that country. This report, dated Nov. 19, 1985, included most of the information requested in the reporting requirement.

OPTIONS OR OBSERVATIONS: (1988) Remains useful; consider revising to assure that 30 days before Phase III ATA is provided, the detailed information cited in the section will be forwarded to the recipients. Since much of the information is already computerized, this should not be an onerous task.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1981 PL 97-186, sec. 574(a)(1)	President	Speaker of House S. Comm on Foreign Relations	30 days before providing aid	Kuwait, Sept. 8, 1988; El Salvador, Sept. 7, 1988;	Active
22 U.S.C. 2349a-3(a)				Mauritania, Congo, Niger, Togo, Feb. 4, 1988; Cyprus, Oct. 27, 1987; El Salvador, Aug. 9, 1987; June 9, 1987; May 19, 1987; Bolivia, May 18, 1987;	

REPORTING REQUIREMENTS AUTHOR: Braine-Mooten ACCESS NUMBER: W00001252 CDS PRINTOUT DATE: 28NOV08

TITLE: Human Rights in Country Proposed for Anti-Terrorism Assistance (ATA)

REQUIREMENT: Upon request, a report on internationally recognized human rights in any country proposed to receive anti-terrorism assistance (ATA) before ATA may be provided.

ASSESSMENT: (1988) This provision has not been used although the staff has monitored the names of potential participating nations submitted under sec. 574(a)(1) for applicability.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement, along with other provisions in chapter 8 that require coordination with the Bureau of Human Rights and Humanitarian Affairs, focuses attention on congressional concern that respect for human rights be supported and that ATA not be provided to officials who might use the training or equipment to violate universally adopted human rights. Thus, the requirement serves congressional purposes.

LEGISLATION	ENROLLMENT	TO WHOM	EMERGENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1961 PL 87-185, sec. 574(a)(2)	Secretary of State	H. Com on Foreign Affairs (Chairman) S. Com on Foreign Relations (Chairman)	As requested by chair of either committee		Active

REPORTING REQUIREMENTS AUTHOR: Brown-McCotten ACCESS NUMBER: N00001196 CRS PRINTOUT DATE: 28NOV88

TITLE: Antiterrorism Assistance--Congressional Presentation Materials

REQUIREMENT: A report of the assistance provided under the ATA program for the the past fiscal year, assistance programmed for the current year, and assistance proposed for the following year.

ASSESSMENT: (1988) The report required under this section applies only to anti-terrorism assistance provided under Chapter 8 of the Foreign Assistance Act, even though governmental agencies other than the Department of State are involved. The requirement is different from that stipulated in PL 98-65, sec. 802(b) which includes all anti-terrorism assistance provided by U.S. Government agencies.

OPTIONS OR OBSERVATIONS: (1988) The reporting requirement remains useful but reports might adhere more closely to the information specified in the law. Since the information is fed into the computer data system throughout the year, this should not be a burdensome task.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 874(b) 22 U.S.C. 2346aa-3(b)	Secretary of State	Congress	Annually, as part of congressional presentation	Mar. 8, 1988 (classified); Feb. 10, 1987; Mar. 5, 1986	Active

REPORTING REQUIREMENTS AUTHOR: None's ACCESS NUMBER: R01007008 ODS PRINTOUT DATE: 28NOV68

TITLE: Interest Income on Foreign Currency Deposits, Value of Receipt

REQUIREMENT: Determination that the receipt of interest income on foreign currency deposits is not in the national interest, and that the requirement thereof shall be waived.

ASSESSMENT: (1968) No reports have been made under this provision because, according to the Department of State, the requirement to conclude arrangements for the receipt of interest income on foreign currency deposits has not been waived since this provision was added in 1965.

OPTIONS OR OBSERVATIONS: (1968) This requirement remains useful because the Food Security Act of 1985 (PL 98-198) amended the Agricultural Trade Development and Assistance Act (PL 83-480) to reinstate sales of commodities for foreign currencies and to allow the lending of the local currency proceeds to local entities for agricultural development. The loans are to be repaid to the U.S. Government with interest.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 613(d) 79 Stat. 659 22 U.S.C. 2563(d)	Secretary of State	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: None ACCESS NUMBER: R01010083 CRS PRINTOUT DATE: 28NOV88

TITLE: Special Authority to Waive Prohibitions or Limitations on Furnishing Assistance--Important to National Security

REQUIREMENT: Determination that it is important to the security interests of the United States to authorize the furnishing of foreign assistance without regard to any provision regarding military assistance and sales, the Arms Export Control Act, any law relating to receipts and credits accruing to the United States, and any Act authorizing or appropriating funds for use under the regulations or military assistance and sales, in furtherance of any of the purposes of the rules on military assistance and sales.

ASSESSMENT: (1988) Section 614(a) of the Foreign Assistance Act, 1961, grants the President significant authority to waive nearly any restriction, prohibition, or limitation on providing foreign aid. Prior to exercising this authority, however, the President must justify to Congress that his action is important to the national security interests of the United States. The reports filed pursuant to sec. 614(a) usually consist of a brief Presidential determination (also published in the Federal Register) and a one or two page justification explaining why the authority is being used, how funds, where appropriate, will be programmed, and what consequences may result if the waiver is not implemented. Since 1961, the President has used the sec. 614(a) authority about 125 times. In recent years, the executive branch has exercised this authority most frequently to alter earmarked aid levels for countries in Central America, the Caribbean, and elsewhere.

OPTIONS OR OBSERVATIONS: (1988) Remains an important source for information on Presidential use of a significant authority.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE BEC	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations Speaker of the House	Prior to exercising authority	Sep. 21 1968 (Ft); July 28, 1968 (N. Ireland); Apr. 7, 1968 (Tunisia); Mar. 17, 1968 (ESF credits); Feb. 5, 1968 (Guatemala); Sept. 8, 1968 (MRTC and Cops. Am.); June 17, 1968 (Grenada);	Active
PL 87-196, sec. 614(a)(1)					
94 Stat. 3140					
22 U.S.C. 2364(a)(1)					

THE
RECORDS
OF THE
CITY OF
NEW YORK
IN THE
YEAR
1898
BY
JAMES
M. SMITH
AND
J. J. SMITH
NEW YORK
1899

REPORTING REQUIREMENTS

ACCESS NUMBER: R01013008

AUTHOR: Nowels

Special Authority: Unvouchered Funds

CRS PRINTOUT DATE: 28NOV88

TITLE: Information on each use of funds provided under sec. 614(c) (unvouchered) which has been certified that it is inadvisable to specify the nature of the use of such funds.

REQUIREMENT: (1988) Section 614(c) of the Foreign Assistance Act, 1961, permits the President to use \$50 million without disclosing, except to a very few individuals in Congress, the purpose for which the funds will be used. The reporting requirement was added by sec. 30(g) of the Foreign Assistance Act of 1988. This extraordinary authority has been used only three times since 1961--and not at all since 1968. The General Accounting Office reported that the executive branch considered using the sec. 614(c) authority most recently in 1976 to supply arms to Kenya (Use of Special Presidential Authorities, May 20, 1985, p. 55).

ASSESSMENT: (1988) Remains useful. Consideration might be given to requiring that the President inform recipients (now the Speaker of the House and the chairman and ranking minority member of the Foreign Relations Committee) prior to exercising this authority. Currently, the President must provide information "promptly" on each use of funds--presumably, this could occur after the money had been provided.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	Speaker of the House	Promptly on each use of funds		Active
PL 87-195, sec. 614(c)		S. Comm on Foreign Relations (Chairman and Ranking Minority)			
80 Stat. 805					
22 U.S.C. 2384(c)					

REPORTING REQUIREMENTS AUTHOR: Donnelly ACCESS NUMBER: M00001150 CRS PRINTOUT DATE: 28NOV88

TITLE: Possession of Nuclear Explosive Device by Pakistan

REQUIREMENT: Certification that Pakistan does not possess a nuclear explosive device and that proposed U.S. assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.

ASSESSMENT: (1988) By these certifications, the President can reassure Congress that Pakistan does not have nuclear explosives despite its continuing efforts to build facilities that can supply the nuclear materials to make them. They probably will be deemed useful for at least several years to come.

OPTIONS OR OBSERVATIONS: (1988) Congress may wish to retain as long as Pakistan remains a proliferation problem.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 620(e) 22 U.S.C. 2375	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	Prior to furnishing military equipment or technology in same fiscal year	Dec. 21, 1987	Active

REPORTING REQUIREMENTS : AUTHOR: Nowels ACCESS NUMBER: N0001197 CRS PRINTOUT DATE: 28NOV88

TITLE: Expropriation of U.S. Property and Eligibility for Foreign Aid

REQUIREMENT: Determination that it is in the U.S. national interest to waive the prohibition against providing aid to a country which has expropriated property owned by U.S. citizen or corporation.

ASSESSMENT: (1988) Section 820(e) of the Foreign Assistance Act of 1961, commonly known as the Hickenlooper Amendment, prohibits U.S. aid to countries that have, among other things, expropriated property owned by U.S. citizens or corporations and not taken appropriate steps to resolve claims related to such expropriations. The President may waive this prohibition, however, if he determines to Congress that it is in the national interest. The President has filed a brief report, with justification, under the waiver authority twice--in 1974 for Egypt, and in 1976 for Syria.

OPTIONS OR OBSERVATIONS: (1988) Serves congressional purpose.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 820(e)(1) 22 U.S.C. 2370(e)	President	Congress	Immediately		Active

REPORTING REQUIREMENTS

ACCESS NUMBER: M00001156

AUTHOR: Nowels

CRS PRINTOUT DATE: 28NOV88

TITLE: Provision of Assistance to Communist Country

REQUIREMENT: Determination that removal of country from prohibition of assistance to Communist countries is important to U.S. national interest.

ASSESSMENT: (1988) Although U.S. aid to Communist countries is prohibited by sec. 620(f)(1) of the Foreign Assistance Act, sec. 620(f)(2) permits the President to remove a country from the application of this prohibition. This provision, enacted in 1985, in sec. 1202 of PL 99-83, was intended to accommodate the Administration's desire to remove the People's Republic of China from the list of Communist countries specified in sec. 620(f)(1). Accordingly, the President issued a memorandum on October 1, 1985, stating that the President had decided to remove the People's Republic of China from the list of Communist countries. Congress' provision asking the President to consider China's human rights record prior to issuing any license of export privileges to China was not included in the President's report to Congress. The President's report to Congress on the Dec. 1985 report made no mention of the human rights issue. The President filed a similar report for Yugoslavia in 1986. AID does not view this requirement as a burden.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 620(f)(2) 22 U.S.C. 2370(f)(2)	President	Congress	Upon determination	Mar. 10, 1986 (Yugoslavia); Dec. 18, 1985 (Tibet, China)	Active

REPORTING REQUIREMENTS AUTHOR: Howells ACCESS NUMBER: N00001199 CDS PRINTOUT DATE: 28NOV88

TITLE: Loan Defaults by U.S. Aid Recipients

REQUIREMENT: Determination that it is in the national interest to provide assistance to a country that is in default in excess of six months in payment of U.S. loans.

ASSESSMENT:

(1988) Section 820(q) prohibits U.S. aid to any country that is more than 6 months in default on the payment of aid loans made available under the Foreign Assistance Act. The President, however, may waive this prohibition if he determines that to do so is in the national interest. This notification serves a useful purpose by alerting Congress that a country important to U.S. interests has fallen behind in its payments, and that such country may also face a more serious consequence if the arrearage problem is not corrected. Should a country fall more than 12 months behind in payments, it is prohibited from receiving any U.S. aid by an annual provision in the Foreign Assistance Appropriations Act (the so-called Brooke Amendment). This provision contains no waiver authority and has resulted in the cut-off of U.S. aid on many occasions. Between the time that a sec. 820(q) waiver is filed and the ultimate termination of aid required by the Brooke Amendment, Congress could choose to take action and forestall the implementation of the Brooke Amendment. This is the case with the aid to the Ivory Coast. The Arms Export Control Act is not included in sec. 820(q) but is governed by the Brooke Amendment. Therefore, Congress is not routinely alerted about countries important to the United States that are experiencing problems repaying these military aid loans prior to the termination requirement of the Brooke Amendment. Moreover, because FIS loans do not fall under the 6-month schedule of sec. 820(q), countries in default on repayment of such military loans cannot have aid suspended until one year, rather than 6 months, has elapsed.

OPTIONS OR OBSERVATIONS:

(1988) Remaining useful. Congress may wish to consider altering the language to include loans made under Arms Export Control Act and any other act that authorizes foreign assistance.

LEGISLATION

Foreign Assistance Act,
PL 87-195, sec. 820(q)
22 U.S.C. 2370(q)

FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
President	Speaker of House S. Comm. on Foreign Relations	Upon occurrence	June 28, 1988 (Ivory Coast); May 23, 1988 (Tanzania); May 17, 1988 (Ivory Coast); Mar. 22, 1988 (Ecuador); Dec. 8, 1987; Sept. 10, 1987 (Niger); July 15, 1987 (Niger); Nov. 6, 1985 (Costa Rica); Oct.	Active

ACCESS NUMBER: R17701003

CDS PRINTOUT DATE: 28NOV88

AUTHOR: Nove's

REPORTING REQUIREMENTS

Defense Expenditures of U.S. Aid Recipients

TITLE:

Report on the actions taken to restrain arms races and proliferation of sophisticated weapons and to ensure that resources intended for economic development are not diverted to military purposes.

ASSESSMENT:

(1988) The report has been submitted annually since 1974, and in 1985 was "streamlined to provide a compact and straightforward statistical report directed towards legislative concerns." It appears that this effort improved the report. For 1985, AID used a complicated region listing procedure to determine which countries might be spending too much for defense. In 1987, since AID has reported the data in a more compact manner, listing country expenditures in three areas--defense as a % of GNP, defense as a % of total budget, and military imports as a % of total imports--and ranking countries within the same region. Based on these rankings (defined as those "countries which appear to have exceeded the norm"), individual countries are selected for special review within the report. Although the report is imprecise about what constitutes the "norm," AID officials say that countries that are ranked among the top ten in any of the three categories are identified as "section 620(s) countries." In its most recent report, AID cited 11 countries for review, nearly all of which are high-priority U.S. aid recipients (i.e., Israel, Egypt, Pakistan, El Salvador). None of the reviews concluded that U.S. aid should be ruled out for these countries. Although AID has streamlined the report in recent years, questions continue to arise about the report's reliability. One of the major problems is that the report is based on the 1986-87 annual report (submitted on 3/16/88) which is based on 1984-85 data. Congressional interest in the report also appears to be limited. In 1987, the Foreign Relations Committee recommended that the report be eliminated (S. 1274); other congressional sources believe that the report does little to achieve the purposes of the sec. 620(s), which are: "to restrain arms races and proliferation of weapons, and to ensure that resources intended for economic development are not diverted to military purposes." AID comments that the report serves no useful purpose and that AID is considering other means to study the impact of defense activities on development. AID estimates that the report costs \$9,600 to prepare and requires 285 staff hours.

OPTIONS OR OBSERVATIONS:

(1988) Congress might wish to consider repealing this requirement. Similar information regarding individual countries could be requested by congressional committees, as needed.

LEGISLATION

Foreign Assistance Act,
1981
PL 87-195, sec. 620(s)(2)
83 Stat. 827
22 U.S.C. 2370(s)

FROM WHOM

President

TO WHOM

S. Comm on Foreign
Relations
Speaker of the
House

FREQUENCY

Annually

DATE RECD

Mar. 16, 1988
Feb. 3, 1987; Nov.
18, 1985; June 28,
1984; Apr. 21,
1983; Oct. 26,
1981

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: N00001200 CRS PRINTOUT DATE: 28NOV88

TITLE: Arrears of United Nations Payments--Eligibility for U.S. Aid

REQUIREMENT: Report on assurance given by a government that is delinquent with respect to its U.N. obligations concerning the payment of all arrears or an explanation of the circumstances which render such government incapable of giving such assurance.

ASSESSMENT: (1988) Although this reporting requirement was established in 1987, at most 3 reports have been filed under it since 1987. These were filed in 1978 and 1979. Of the two reports examined, one discussed the assurances received by the United States from the Government of the State of Israel that the Government of the State of Israel would not be in arrears. This does not at present seem to be an area of great congressional concern. AID indicated that no U.S. aid recipients have been denied aid because of arrears. U.N. documents on contributions indicate that many U.S. aid recipients are in arrears to the U.N. regular budget.

OPTIONS OR OBSERVATIONS: (1988) Consider requiring inclusion in the annual report to Congress on support for U.S. policy by each country in the U.N. (currently required by sec. 528 of the Foreign Assistance Appropriations, 1988).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1981 PL 87-185, sec. 620(u) 22 U.S.C. 2370(u)	President	Speaker of House S. Com on Foreign Relations	Upon occurrence	1979	Active

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: N0001640 CRS PRINTOUT DATE: 28NOV88

TITLE: Turkish and Greek Military Forces on Cyprus

REQUIREMENT: Report of any substantial evidence that U.S.-supplied military equipment to Greece and/or Turkey has been transferred or otherwise used to further the severance or division of Cyprus. (Added by PL 100-202, sec. 101(e), title V, sec. 502.)

ASSESSMENT: (1988) Requirement reflects congressional insistence that U.S. military assistance to Greece and Turkey does not further complicate a negotiated settlement of the Cyprus problem.

OPTIONS OR OBSERVATIONS: (1988) Remains a useful reporting requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE BEC	STATUS
Foreign Assistance Act, 1950-1955, sec. PL 87-195, sec. 620(C)(e)(2)	President	Congress	Upon event		Active

CBS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001201

AUTHOR: Browne-Wootten

REPORTING REQUIREMENTS

TITLE: Waiver on Prohibition of Assistance to Countries Supporting International Terrorism

REQUIREMENT: Notification to Congress that the President intends, for reasons of national security, to waive the prohibition against providing assistance to a country that supports international terrorism.

ASSESSMENT:

(1988) As adopted in 1976, sec. 620A required the President to report his finding that national security justified assistance to a government that "aids or abets international terrorism by granting sanctuary from prosecution to any individual or group which has committed an act of international terrorism." In 1985, sec. 820A was revised. Under the revised language, the President is to report, at least 15 days before the waiver takes effect, his finding, with justification, that national security or humanitarian reasons justify providing assistance to a country that "(1) grants sanctuary from prosecution to any individual or group that has committed an act of international terrorism, or (2) otherwise supports international terrorism." The assistance affected includes that under the Foreign Assistance Act, the Agricultural Trade Development and Assistance Act of 1954, the Peace Corps Act, and the Arms Export Control Act. While this provision has never been used, the action of the Congress in 1985 to, as one staffer put it, "consolidate and broaden" the provision reflects a continuing concern that assistance not be provided to countries that support international terrorism and Congress' insistence that it stipulate the conditions under which assistance might be provided.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Foreign Assistance Act, 1961
PL 87-196, sec. 620A

FROM WHOM

President

TO WHOM

H. Comm on Foreign Affairs
S. Comm on Foreign Relations

FREQUENCY

15 days before waiver takes effect

DATE RECD

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Laipson-Day ACCESS NUMBER: R01002001 CRS PRINTOUT DATE: 28NOV88

TITLE: Progress Made Toward Conclusion of Negotiated Solution to Cyprus Problem

REQUIREMENT: Report on progress made toward the conclusion of a negotiated solution to the Cyprus problem.

ASSESSMENT: (1988) This report derives from congressional concerns about U.S. policy toward Cyprus: the report has been intended by its supporters to serve as a reminder to the executive that Congress wants active U.S. diplomatic efforts to solve the Cyprus political crisis since the 1974 division of the island nation. Submission of the report is closely monitored by some in Congress, although its contents tend to be general. More detailed and pertinent information is contained in the report's introduction and in the list of congressional staff members, players, or through hearings. The reports remain useful to congressional offices as a political symbol and as a repository of U.N. documents.

OPTIONS OR OBSERVATIONS: (1988) Reporting frequency could be extended in order that reports could be less repetitive and contain more substantive information.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	Speaker of the House	Every 60 days	Aug. 1, 1968; Mar. 21, 1968; Jan. 26, 1968; Nov. 30, 1981; Sept. 23, 1987; July 20, 1987; Apr. 22, 1987; July 14, 1986; Feb. 6, 1986	Active
PL 87-195, sec. 620C(c)		S. Comm on Foreign Relations (Chairman)			
22 Stat. 757					
22 U.S.C. 2073					

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01013051

AUTHOR: Laipson-Day

REPORTING REQUIREMENTS

TITLE: Greece and Turkey Security Assistance

REQUIREMENT: Certification that the furnishing of security assistance to Greece and Turkey will be consistent with the principles of U.S. policy regarding Cyprus, Greece, and Turkey.

ASSESSMENT: (1988) Both producers and consumers of this report found it virtually useless, a mechanical and predictable presentation of little substantive value. Several of the provisions of sec. 620C(b) duplicate language of other Arms Export Control Act certification requirements. Two regional considerations—that the aid preserves the present balance of military strength among countries of the region, including Greece and Turkey and that the aid will not adversely affect U.S. efforts to encourage a negotiated settlement of the Cyprus problem—remain a source of disagreement between Congress and the executive branch. The assertions in the certification cannot be empirically tested and are susceptible to manipulation at the discretion of the State Department. The early termination of the certification is a policy statement. See sec. 620C(c) to (d). The certification is a purely procedural, with no additional gain derived from the certification requirement.

(1988) Congressional intent contained in this requirement would seem to be covered by secs. 569 and 579 of the Foreign Aid Appropriations Act, 1989, and 820C(c) of the Foreign Assistance Act, 1981. Consider repeal of this certification requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Assistance Act, 1981	President	S. Comm on Foreign Relations (Chairman)	Whenever requesting assistance		Active
PL 87-195, sec. 620C(d)		Speaker of the House			
92 Stat. 737					
22 U.S.C. 2373(d)					

REPORTING REQUIREMENTS

AUTHOR: Nowels

ACCESS NUMBER: R01213014

CRS PRINTOUT DATE: 20NOV88

TITLE:

U.S. Economic Assistance. Annual Report

REQUIREMENT:

Report on foreign assistance for the fiscal year ending the previous September 30; to include (1) review of all projects and programs; (2) the dollar value of the development assistance provided by each country; (3) the dollar value of all foreign assistance by category and country; (4) a summary of repayments, by country, of previous foreign assistance loans; (5) the status of each sale under the Agricultural Trade Development and Assistance Act of 1954 and transaction under the Export-Import Bank Act of 1945; (6) debt servicing capacity of each country receiving assistance; (7) the dollar value of all official development, security, international disaster, refugee, and such countries; (8) the dollar value of all official development, security, international disaster, refugee, and international narcotic control assistance provided by each country which is a member of OECD and OPEC; (9) the percentage of the gross national product and per capita contribution of each country of each type of assistance; (10) the percentage of total foreign assistance provided by each country; (11) the dollar value of the Development Coordination Committee's operations pursuant to sec. 6406(f) of this Act; (12) the value and quantity of grant military assistance, military education and training, and any other defense articles and services furnished under this Act by the United States to each country for the preceding fiscal year; and (13) information concerning the activities of the Minority Resource Center; and (14) other information on the conduct of the foreign assistance program.

ASSESSMENT:

(1988) Serious problems surround this report although it supplies information on more than a dozen areas of foreign assistance. Major parts of the report are filed months after the deadline, making it less useful during congressional debates. It is not clear whether the problems are due to the way the report is prepared or to the submission in some cases. It is difficult to determine precisely where the requirement has been met. In other cases, it repeats information provided elsewhere. Moreover, some of the requirements ask for information not readily available to U.S. authorities. In short, problems related to this reporting requirement result from both incomplete and confusing reporting on the part of the executive branch and unclear statutory language and unrealistic requirements. Although AID regards the "Development Issues" report (the core report of this requirement that basically addresses requirements (1) and (2)) as serving no particularly useful purpose, AID notes that the report is frequently requested by libraries and U.S. embassies, and that it serves as an effective "PR" document. AID estimates that the "Development Issues" report and the "Overseas Loans and Grants" document (Green Book) cost \$100,500 and require 1,612 work hours to prepare.

OPTIONS OR OBSERVATIONS:

(1988) Potentially, this is a very valuable report and one that can help Congress during its review of the pending foreign aid budget. Modifications described in the overview might improve its utility. These modifications would entail a redrafting of the requirement that would: a) eliminate information that is not realistically available to the U.S. Government at the time requested; b) require that time-sensitive information important to Congress' annual review and debate of foreign aid budget and policy legislation be submitted as part of the Congressional Presentation document (CPD); and c) specify that certain requirements that are more historical in nature, that cannot be easily prepared in a timely fashion, be submitted as part of the CPD. It is recommended that the CPD be prepared and submitted at the appropriate date. It is recommended that an insistence that much of this information be submitted in February as part of the CPD will place an additional burden on AID at a particularly busy time of year. Accordingly, AID and congressional committees might thoroughly review the present contents of the CPD and identify ways in which this multi-volume document can be reduced so as to accommodate legitimate concerns of AID while still providing adequate information important to congressional oversight of the foreign assistance program.

LEGISLATION

Foreign Assistance Act,
1961
PL 87-195, sec. 634(a)
92 Stat. 957
22 U.S.C. 2394(a)

FROM WHOM

Chairman,
Development
Coordination
Committee

TO WHOM

Congress

FREQUENCY

Annually, by
Feb. 1

DATE RECD

Apr. 25, 1988
(Contracts); Apr.
12, 1988

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Nowels ACCESS NUMBER: R00101015 CRS PRINTOUT DATE: 28NOV88

TITLE: Foreign Aid Program Changes

REQUIREMENT: Notification that funds will be obligated for activities, programs, projects, types of material assistance, countries or other operations not justified, or in excess of the amount justified, to the Congress.

ASSESSMENT: (1988) In past years, the requirement in sec. 634A has called for the same congressional notification of foreign aid program changes as required in the annual foreign assistance appropriation measures (sec. 523 of the FY 1989 appropriation). In 1987, congressional and executive branch negotiators reached an agreement that significantly modified the process by which the Administration must notify Congress in advance of foreign aid program and project funding changes (see discussion under sec. 524 of the Foreign Assistance Appropriations, 1988, for details of this modified procedure). The language of sec. 634A has not yet been amended to reflect this new arrangement, although a pending bill, H.R. 3100, would make the necessary changes. In particular, sec. 634A still requires notification of any change in project funding that is greater than 10 percent from the previously justified amount. The new procedure requires a notification only if the change exceeds 10 percent. Because of this difference, the requirement in sec. 634A and the notification legislation AID drafted that it would satisfy under the lower figure and therefore continues to be the current intent of Congress and certainly beyond what AID would prefer.

OPTIONS OR OBSERVATIONS: (1988) Congress may wish to consider amending sec. 634A to conform to a standard procedure for foreign aid program notifications.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, 1961 PL 87-195, sec. 634A(a) 48 Stat. 1584 22 U.S.C. 2394-1	President	S. Comm on Foreign Relations H. Comm on Foreign Affairs H. Comm on Appropriations S. Comm on Appropriations	15 days in advance of obligation		Active

REPORTING REQUIREMENTS AUTHOR: Nowels ACCESS NUMBER: M00001186 CDS PRINTOUT DATE: 28NOV08

TITLE: Reprogramming of Funds in International Affairs Budget Function

REQUIREMENT: Notification of any reprogramming of funds in the International Affairs Budget Function, the authorizations of appropriations for which are in their committee jurisdictions, and with the same conditions as transmitted to the Committee on Appropriations.

ASSESSMENT: (1988) This requirement was added in 1985, by PL 99-83, sec. 1209. Originally in the House bill, the measure provides that the Senate Foreign Relations and House Foreign Affairs Committees be notified of reprogramming to the same degree and with the same conditions as notifications to the Committees on Appropriations. Since sec. 634A(a) already requires 15 days advance notification, the main effect of this provision is to provide the opportunity for the foreign policy committees to object to or place "holds" on reprogramming to the same extent as the appropriations committees. Since AID prepares these notifications for the appropriations committees in any case, it does not regard this as an additional burden.

OPTIONS OR OBSERVATIONS: (1988) Remains useful as a method for the Foreign Affairs and Foreign Relations Committees to remain abreast of any changes in reprogramming notification requirements adopted by the Appropriations Committees.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, PL 87-195, sec. 634A(c) 22 U.S.C. 2394-1(c)	President	H. Comm on Foreign Affairs (Chairman) S. Comm on Foreign Relations (Chairman)	Upon any reprogramming		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R17701024

AUTHOR: Nowels

REPORTING REQUIREMENTS

TITLE: Special Authorities In Use of Foreign Aid Funds

REQUIREMENT: Notice of intention and justification for the exercise of special authorities under sec. 506(a) (drawdown of U.S. military stocks), sec. 552(c)(2) (peacekeeping operations funding), and sec. 610(a) (transfer between accounts).

ASSESSMENT: (1988) Section 652 requires advance notice and justification for the exercise of sec. 506(a) relating to the drawdown of defense articles from U.S. military stocks; sec. 552(c)(2) relating to the transfer of funds or relating to the transfer of funds between accounts. Section 506 requires prior notification of the use of this authority to specified committees and also requires the President to keep Congress currently informed. Section 610 refers to sec. 653 which requires prior notification of military grant assistance which exceeds certain criteria. As a result of these interlocking requirements, it is unclear under what section certain reports should be submitted, such as a Presidential determination of Mar. 13, 1986, authorizing military assistance to Chad, under sec. 506(a).

OPTIONS OR OBSERVATIONS:

(1988) In an effort to reduce the confusion over the relationship between the requirement and those contained in secs. 506(a), 552(c)(2), and 610(a), Congress may wish to consider repealing this provision. Care should be taken, however, that each of the other three requirements contains a notification and justification provision. (Section 552 does not and sec. 610's provision is incomplete.)

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961	President	S. Comm on Foreign Relations	Prior to exercising authority	May 18, 1988 (Afghanistan, Pakistan); July 16, 1987 (Jordan/West Bank)	Active
PL 87-195, sec. 652		Speaker of the House			
88 Stat. 1800					
22 U.S.C. 2411					

REPORTING REQUIREMENTS AUTHOR: Nowels ACCESS NUMBER: R01012012 CRS PRINTOUT DATE: 28NOV98

TITLE: Country Allocations of Foreign Assistance Appropriations

REQUIREMENT: Notification of each foreign country and international organization to which the U.S. Government intends to provide any portion of the funds under any law appropriating funds to carry out this Act and of the amount of funds under that law, by category of assistance, that the U.S. Government intends to provide to each.

ASSESSMENT:

(1988) The sec. 653 report is filed 30 days after Congress has passed a foreign aid appropriations—usually sometime early in the fiscal year for which the allocations apply. Moreover, Congress with a revised and more detailed report, approved by the President, is required to submit a report to the President on the sec. 653 report. Moreover, at the request of the House Committee on Foreign Affairs, aid agencies are submitting a quarterly update of the sec. 653(a) report that shows any changes in country allocations that occurred during the previous 90 days. This update provides a concise and timely record of alterations in country programs. In a related development, last year Congress and the Administration reached an agreement whereby the executive branch is now required to submit 30 days after the sec. 653(a) document a global report on planned funding levels for the current fiscal year. This report (reviewed under "Foreign Aid Program Changes," PL 100-461, sec. 523) essentially updates the Congressional Presentation documents and establishes a new baseline for subsequent program change notifications. AID regards both the sec. 653(a) report and the quarterly updates as useful documents and would, therefore, prefer that the executive branch submit the quarterly updates as well as the sec. 653(a) report. Including the new global report and reprogramming submissions. An unacted bill, H.R. 3100, would have established, as AID suggests, the sec. 653(a) report as the new baseline for program change notification.

OPTIONS OR OBSERVATIONS:

(1988) The sec. 653(a) report continues to be a timely and highly useful document. The quarterly updates also make this a more significant information tool for Congress. Making these reports the sole basis for reprogramming and other changes may be premature. By most accounts, the modified notification requirements, including the global report, agreed upon for FY 1988 and beyond, have not been in operation long enough for a complete assessment. Thus, it might be best to postpone further changes in the process until the new provisions can be evaluated.

LEGISLATION

Foreign Assistance Act,
PL 105, sec. 653(a)
50 Stat. 29
22 U.S.C. 2413

FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
President	Congress	30 days after enactment of law	May 23, 1988; (FD) 10, 1988 (AD) Jan. 20, 1988 (AID) Jan. 20, 1988 (Sec. aid); Jan. 27, 1988; Feb. 5, 1988; Feb. 18, 1988	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001139

AUTHOR: Storrs-Day

REPORTING REQUIREMENTS

TITLE: Police Assistance for El Salvador of Honduras

DEFENSEMENT: Defensation that El Salvador or Honduras has made significant progress during the previous 6 months in eliminating human rights violations including torture, concentration camps, and other forms of grossly involuntary expression of political views or prolonged detention without trial; also to include a full description of police assistance to be provided and the purposes to which it will be directed.

ASSESSMENT: (1988) This provision, added by International Security and Development Cooperation Act, 1985, PL 98-83, sec. 711, permitted the President to provide assistance to law enforcement agencies in Honduras or El Salvador, notwithstanding a general prohibition on such assistance, if he notified the authorization committees under reprogramming procedures that he made a determination of the required human rights progress. The requirement was similar to that in sec. 574(a)(1) and (2) of the Foreign Assistance Act, relating to antiterrorism assistance but added the additional condition that the President must first determine that the progress of the foreign law enforcement agencies is sufficient to warrant such assistance. The provision was amended by PL 99-190 in 1986, requiring a Presidential determination of progress in eliminating human rights abuse within the last six months in specific areas under law enforcement agency control. The first report of Oct. 29, 1985, contained considerable useful detail on human rights conditions in El Salvador. In areas usually associated with security force abuses, the report was considered to be lacking in detail on the specific uses of the Anti-Terrorism Assistance in El Salvador. As a result, the Administration provided a more detailed report on Nov. 19, 1985, on the training and equipment to be provided to El Salvador. Because of continuing committee objections, the antiterrorism assistance was held up for some time, despite the lapse of the 30-day notification period. State Department representatives argued that some of the specific areas to which the report related to the appointment to the functioning of the courts in Honduras, persons then being to staff police functions, and the pasting of the report to the courts. The report was released from committee hold once the President has made the required determination. Some congressional staff believe that the Presidential determination is overly favorable to the Salvadoran government.

OPTIONS OR OBSERVATIONS:

(1988) The provision, which applied only to FY 1987 and 1988, was useful since it seemed to apply to both military assistance and antiterrorism assistance that might be provided to law enforcement agencies in El Salvador. With regard to antiterrorism assistance alone, the provisions in sec. 574 of the Foreign Assistance Act, 1961, might be adequate.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Assistance Act, PL 96-186, sec. 680(d) 22 U.S.C. 2420(d)	President	H. Comm on Foreign Affairs S. Comm on Foreign Relations	30 days prior to providing aid FY86 and FY87	Aug. 31, 1987 (El Salvador); Aug. 6, 1987 (Honduras); May 20, 1987 (El Salvador); Nov. 24, 1986; Oct. 29, 1985 and Nov. 19, 1985.	Out of date

REPORTING REQUIREMENTS

ACCESS NUMBER: N0001259

AUTHOR: Donnelly

TITLE:

Certification Concerning Uranium Enrichment by Foreign Country

REQUIREMENT:

Section 609 of the Foreign Assistance Act, added by the International Security Assistance Act of 1977, PL 95-92, Section 12, amended the United States law which prohibits the country involved does certain things with respect to supply or exporting of items or technology for uranium enrichment. The President is authorized to continue that assistance if he certifies that (A) the termination of such assistance would have a serious adverse effect on vital United States interests; and (B) he has received assurances that the country in question will not acquire or develop nuclear weapons or assist other nations in doing so.

ASSESSMENT: (1988) Added by the International Security Assistance Act of 1977 (PL 95-92, sec. 12), this requirement has not yet been used.

OPTIONS OR OBSERVATIONS:

(1988) This "as required" report remains potentially useful, particularly because any Presidential use of this authority probably would be controversial and engage the interest of Congress.

LEGISLATION

Foreign Assistance Act,
1981
PL 87-195, sec. 609(b)
42 U.S.C. 2751

FROM WHOM

President

TO WHOM

Speaker of House
S. Com on Foreign
Relations

FREQUENCY

As required

DATE REC'D

Dec. 21, 1987

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01014007

AUTHOR: Donnelly

REPORTING REQUIREMENTS

TITLE: Certain Nuclear Transfers and U.S. Aid

REQUIREMENT: Certification that the termination of assistance which would otherwise be prohibited would have a serious adverse effect on vital U.S. interests and that reliable assurances have been received that the country in question will not acquire or develop nuclear weapons or assist other nations in doing so.

ASSESSMENT: (1988) Section 670 of the Foreign Assistance Act, as added by Sec. 12 of the International Security Assistance Act of 1977, terminates certain U.S. military and economic assistance if the countries involved do certain things with respect to reprocessing of nuclear fuels or if they are a nonnuclear weapons state and test a nuclear explosive. The President, however, is authorized to continue that assistance if he makes a specified determination and certification and submits that to Congress. This "as required" report remains potentially useful, particularly because any Presidential use of the authority under this section probably would be controversial and engage the interest of Congress.

**OPTIONS OR
OBSERVATIONS:** (1988) Remains potentially useful.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE RECD	STATUS
Foreign Assistance Act, 1961 PL 87-196, sec. 670(b) 91 Stat. 620 22 U.S.C. 2429	President	Speaker of the House S. Comm on Foreign Relations	In each case	Dec. 21, 1987	Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: M00001181 CRS PRINTOUT DATE: 28NOV88

TITLE: U.S. Emergency Refugee and Migration Assistance Fund

REQUIREMENT: Justification of an appropriation request for the U.S. Emergency Refugee and Migration Assistance Fund.

ASSESSMENT: (1988) This report is fulfilled annually as part of the Department of State's Congressional Presentation for migration and refugee assistance. It is widely distributed on Capitol Hill and contains detailed financial and policy information. It is combined with the Report on Refugee and Migration Assistance in PL 87-510, sec. 2(d).

OPTIONS OR OBSERVATIONS: (1988) Since this report is already combined with the report for PL 87-510, sec. 2(d), the requirement could be combined.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Migration and Refugee Assistance Act, 1962 PL 87-510, sec. 2(c)(3)	President	H. Comm on Appropriations Speaker of the House S. Comm on Appropriations S. Comm on Foreign Relations	Whenever request is made for appropriation	Africa, Aug. 17, 1988	Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: M00001182 CRS PRINTOUT DATE: 28NOV88

TITLE: Activities Authorized for Migration and Refugee Assistance

REQUIREMENT: Information on the use of funds and the exercise of functions authorized in this Act.

ASSESSMENT: (1988) This report is fulfilled annually as part of the Department of State's Congressional Presentation for migration and refugee assistance. It is widely distributed on Capitol Hill and contains detailed financial and policy information. It is combined with the Report on the Refugee Emergency Fund.

OPTIONS OR OBSERVATIONS: (1988) The report is adequate. The information would probably be provided even without a legislative requirement. Since reports are already combined, the requirement could be combined with requirement in PL 87-510, sec. 2(c)(3).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Migration and Refugee Assistance Act, 1962 PL 87-510, sec. 2(d) 22 U.S.C. 2801(d)	President	S. Com on Appropriations H. Com on Appropriations S. Com on Judiciary H. Com on Judiciary and others deemed appropriate	Currently Informed		Active

REPORTING REQUIREMENTS

ACCESS NUMBER: HD0001227

AUTHOR: Sanford

CDS PRINTOUT DATE: 28NOV68

TITLE: Asian Development Bank Activities

REQUIREMENT: Participation of the United States in the Asian Development Bank.

ASSESSMENT: (1968) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b)(5).

OPTIONS OR OBSERVATIONS: (1968) Retains utility for Congress. Congress may wish to consider consolidating the seven requirements as one umbrella requirement.

LEGISLATION

Asian Development Bank Act
PL 86-288, sec. 4(b)
22 U.S.C. 286(b)

FROM WHOM

MAC

TO WHOM

Congress

FREQUENCY

Annually, to be included in the MAC report

DATE RECD

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Asian Development Bank Exempt Securities

ACCESS NUMBER: N00001228

REQUIREMENT: Information with regard to the operations and effect of any securities issued by the ADS and any views submitted for such purposes by any association of dealers registered with the SEC.

ASSESSMENT: (1988) The SEC has not made the required reports. See assessment under PL 81-141, sec. 3.

OPTIONS OR OBSERVATIONS: (1988) This report may have outlived its purpose. Congress may wish to consider repeal.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE REC'D	STATUS
Asian Development Bank Act PL 89-369, sec. 11(b) 22 U.S.C. 295(h)	Securities and Exchanges Commission	Congress	Annually, to be included in the SEC report.		Active

REPORTING REQUIREMENTS

ACCESS NUMBER: R01012008

AUTHOR: Grimmer-Shuay

TITLE: Sale of Defense Articles and Services: Eligibility

CDS PRINTOUT DATE: 28NOV88

REQUIREMENT: Report on the implementation of any agreement under which defense articles or defense services are sold by the U.S. Government to a country or international organization which has agreed not to transfer title to, or possession of, the item or service to anyone not an officer, employee, or agent of that country or organization and not to use or permit the use of such article or service for purposes other than those for which furnished without the prior consent of the President.

ASSESSMENT: (1988) The report provides Congress information on the implementation of agreements associated with sale or transfer of defense articles and defense services by the United States. Such information would be useful in knowing the extent of a foreign nation's commitment regarding its use of American military equipment, should a controversy arise at some later date. As drafted, the subsection is somewhat unclear regarding whether a report is due only the first time a basic agreement is reached with a foreign recipient or with every new sale or transfer. The requirement applies only to FMS sales and cooperative projects, not licensed sales under sec. 38.

OPTIONS OR OBSERVATIONS: (1988) Reissue useful; consider clarifying language as to how frequently the provision is to apply to agreements with nations with whom the United States already has such basic agreements in force; consider making the provision applicable to licensed sales.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE INFO	STATUS
Arms Export Control Act PL 90-629, sec. 3(a) 52 Stat. 1322 22 U.S.C. 2759	President	S. Comm on Foreign Relations Subcommittee of the House	Promptly	July 22, 1988; Feb. 18, 1987 (Gambia, Central African Republic)	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01013040

AUTHOR: Grimmett-Shuey

REPORTING REQUIREMENTS

TITLE: **Violation of Arms Transfer Agreement**

REQUIREMENT: Report that a foreign country may have violated any agreement with the U.S. regarding the use, transfer, or maintenance of security of defense articles or services furnished under this Act.

ASSESSMENT: (1986) This is a standard oversight report related to the restrictions on use of U.S. Government-supplied military equipment. The report does not trigger automatic penalties by the President or Congress but it provides a starting point for examination of the facts surrounding a potential violation of a given agreement with the United States. A number of reports have been submitted under this provision, but they merely cite the date of the possible violation and the country involved in the possible violation. Compliance apparently has been timely. The requirement does not apply to transfers or misuse of items sold under license.

(1988) Remains useful. Consider including the inappropriate transfer or misuse of defense articles or services transferred under a licensed sale under sec. 38.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE_REC'D	STATUS
Arms Export Control Act P.L. 90-829, sec. 3(c)(2) 90 Stat. 755	President	Congress	Promptly	Saudi Arabia, Sept. 10, 1986; Ethiopia, July 15, 1986	Active

REPORTING REQUIREMENTS AUTHOR: Grimmer-Shuey ACCESS NUMBER: H00001233 CRS PRINTOUT DATE: 28NOV88

TITLE: Determination of Ineligibility for Violations of Restrictions on Use of U.S.-Origin Military Equipment

REQUIREMENT: Determination that a country is ineligible for credits, guarantees, or cash sales of U.S. arms due to such country's violation of an agreement governing the issuance of such credits, guarantees, or offer of cash sale; or certification that it is in the U.S. security interests not to terminate such credits, guarantees, or cash sales despite a country's violation.

ASSESSMENT: (1988) This report is required if the President determines that a country did, in fact, engage in a substantial violation of an agreement with the United States on use of U.S.-origin military equipment. The President has never made such a determination. This report is required if the President determines that a country is ineligible for U.S. security reasons. This information would be vital for Congress to know in a timely manner in the event of a determination that a country was being rendered ineligible for U.S. arms purchases. The determination of ineligibility is based on improper actions regarding items sold under FBS, but not items sold under a commercial license as governed by PL 90-629, sec. 38.

OPTIONS OR OBSERVATIONS: (1988) Remains useful. Consider making the determination of ineligibility apply also to actions regarding commercial sales.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Arms Export Control Act PL 90-629, sec. 3(c)(3) 22 U.S.C. 2788(c)(3)	President	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Grimmatt-Shuey ACCESS NUMBER: R01013014 CRS PRINTOUT DATE: 28NOV88

TITLE: Third Country Transfer of U.S. Weapons Supplied Under FMS or MAP

REQUIREMENT: Report of each instance in which the President intends to consent to the transfer of any defense articles or services from the country or international organization to which it was provided to another country or international organization; to include the name of the country or organization proposing to make the transfer; a description of the defense article or service proposed to be transferred; the name of the proposed recipient; the reasons for the proposed transfer; and the date on which the transfer is proposed to be made.

ASSESSMENT: (1988) This report provides unique information on retransfers of U.S.-origin military equipment transferred through government-to-government channels. The details are provided in a concise and readily usable format. The executive branch has complied with the reporting requirement in a timely manner. PL 100-461 amended sec. 3(d)(2)(A) to allow Congress to prohibit a proposed transfer by enacting a joint resolution with expedited procedures.

OPTIONS OR OBSERVATIONS: (1988) Remains useful. The recent congressional amendment demonstrates continuing interest.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 3(d)(1) 87 Stat. 729 22 U.S.C. 2753(d)(1)	President	S. Comm on Foreign Relations Speaker of the House	30 days prior to consenting	Netherlands to NMSO and FRG, May 5, 1986; Norway to Spain, Jan. 25, 1986	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: MO001279

AUTHOR: Grinnett-Shuey

REPORTING REQUIREMENTS

TITLE: Report on Retransfers of U.S.-Origin Commercially Sold Major Defense Equipment, Defense Articles and Services

REQUIREMENT: Thirty days prior to giving consent to the transfer from the original recipient country to a third country of major defense equipment valued at \$14 million or more or \$50 million or more of defense articles or services that were exported under U.S. Commercial license or approval, the President is required to report all the details of the proposed retransfer including the items involved and the countries involved.

ASSESSMENT: (1988) This report provides unique information on retransfers of U.S.-origin commercial licensed military equipment. It provides the details of the retransfer of a commercial licensed military equipment from the executive branch has complied with the reporting requirement in a timely manner. PL 100-46 amended this subsection to allow Congress to prohibit such Presidential consent by enacting within 30 days a joint resolution as provided for in PL 90-629, secs. 36(c)(2) and 36(c)(3), which provide for expedited procedures.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQD	STATUS
Arms Export Control Act PL 90-629, sec. 3(d)(3) 22 U.S.C. 2753(d)(3)	President	S. Comm on Foreign Relations Speaker of House	30 days prior to consenting	U.K. to 18 countries, Jan. 27, 1988; Italy, Mar. 10, 1987; Feb. 19, 1987	Active

REPORTING REQUIREMENTS

TITLE: Transfer of Defense Articles, Related Training or Other Defense Services Made Without the Prior Consent of the President

REQUIREMENT: Report that a transfer of any U.S.-origin defense article or service from the recipient country to another country has been made without the President's prior consent.

ASSESSMENT: (1988) This report provides basic details related to the unauthorized transfers. Although not required, the report sometimes indicates actions, if any, already taken by the U.S. Government to deal with the case in question and any prospective further actions contemplated at the time the report is made. This report provides unique information, although few cases have actually been reported under this provision.

**OPTIONS OR
OBSERVATIONS:** (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Arms Export Control Act PL 90-629, sec. 3(e) 22 U.S.C. 2753(e)	President	S. Comm on Foreign Relations Speaker of House	Immediately upon occurrence	Belgium to Guatemala, Jan. 21, 1986; Austria to Netherlands, Sept 12, 1983	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: 82103049

AUTHOR: Browne-Shuey

REPORTING REQUIREMENTS

TITLE: Continuation of Military Aid and Sales to Countries Supporting Terrorists

REQUIREMENT: Finding that it is in the national security interests of the United States to provide military assistance and sales to any government granting sanctuary to terrorists.

ASSESSMENT: (1988) Section 40 also prohibits military transfers to countries supporting terrorism and requires a report justifying any waiver of the provision. The revised sec. 620A of the Foreign Assistance Act has brought actions under the Arms Export Control Act under its provisions. Congress is considering further modification of sec. 3(f) in a new antiterrorism law.

OPTIONS OR OBSERVATIONS: (1988) Remains useful; might be amended to include the changes made in sec. 620A, so that the committees will be notified of a waiver permitting sales 15 days before the waiver takes effect. Not amending sec. 3(f)(2) might reduce the effectiveness of sec. 620A, since the tendency will be to use the weaker provision. Alternatively, this section might be dropped from the AECA, since it is inconsistent with sec. 620A. The AECA might include, instead, a cross-reference to sec. 620A of the Foreign Assistance Act.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 3(f)
91 Stat. 622
22 U.S.C. 2753(f)

FROM WHOM

President

TO WHOM

S. Comm on Foreign
Relations
Speaker of the
House

FREQUENCY

Upon occurrence

DATE RECD

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: R01013011 CRS PRINTOUT DATE: 28NOV88

TITLE: Arms Sales to Underdeveloped Countries

REQUIREMENT: Determination that U.S. Government financing in connection with any sale of sophisticated weapons systems to an underdeveloped country (other than Greece, Turkey, Israel, the Republic of China, the Philippines, or Korea) is important to the national security of the United States.

ASSESSMENT:

(1988) This requirement and the reports required by PL 87-195, sec. 620(s), PL 99-83, sec. 1205, and PL 91-559, sec. 31, express the congressional wish that military expenditures of developing countries, particularly FMS financing, not detract from their economic development. Section 35 of this Act also attempts to discourage unnecessary diversion of funds but requires no report. Apparently, no determination under sec. 4 has been made for several years. For Egypt, Jordan, Oman, Thailand, and Taiwan (countries to which the administration decided to sell sophisticated weapons systems on credit), Saudi Arabia, and South Africa, the provision has little or no effect on U.S. policy. House Committee on Foreign Affairs staff recommends repealing the provision.

OPTIONS OR OBSERVATIONS:

(1988) If a greater effect is desired, the provision might be more effective if it were placed in sec. 36(b) so that Congress could review the financing proposal and its potential economic impacts on a developing country when it considers an arms sale proposal. The terms of the prohibition of such financing could be clarified and made more forceful. Alternatively, the prohibition could be repealed and the reports could be combined or repealed. Other oversight opportunities occur in the process of authorizing and appropriating funds for the security assistance program which reviewing the arms sale report of which the provision is a part. The House could quarterly report on the status of the provision. Repealing the provision would leave the issue of arms sales to developing countries to the executive branch, which would lead to a clearer understanding of congressional intent and suggestions for a consolidated reporting requirement.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 4
82 Stat. 1322
22 U.S.C. 2754

FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
President	Congress	Within 30 days of each determination	Jan. 6, 1983; July 25, 1980	Active

REPORTING REQUIREMENTS AUTHOR: Grimmer-Shuey ACCESS NUMBER: H00007234 CDS PRINTOUT DATE: 28NOV88

TITLE: Discrimination in Military Sales and Credit Programs

REQUIREMENT: Report concerning any sale or licensed transaction under the Arms Export Control Act in which a U.S. person is prevented from participating by a foreign government on the basis of race, religion, national origin, or sex.

ASSESSMENT: (1988) This report would provide unique information on this subject should discrimination occur. To date, there has been but one report made under its provisions. See additional requirement in sec. 5(d) and in PI 87-195, sec. 505(g).

OPTIONS OR OBSERVATIONS: (1988) Remains potentially useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 5(c) 22 U.S.C. 2755(c)	President	Speaker of House S. Comm on Foreign Relations (Chairman)	Promptly	Jan. 22, 1980	Active

REPORTING REQUIREMENTS AUTHOR: Grinnett-Shuey ACCESS NUMBER: N00001235 CRS PRINTOUT DATE: 28NOV88

TITLE: Discriminatory Policies of Countries Receiving U.S. Military Sales and Credits

REQUIREMENT: Upon request, a statement about the exclusionary policies or practices of a specified country that prevents a U.S. person from participating in a military sale or credit transaction.

ASSESSMENT: (1988) This report would provide unique information on this subject should such events which would trigger it occur, and Congress wished to conduct an inquiry regarding them. See similar provisions for military assistance in PL 97-186, sec. 505(g).

OPTIONS OR OBSERVATIONS: (1988) Remains potentially useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 5(d) 22 U.S.C. 2755(d)	President	H. Comm on Foreign Affairs S. Comm on Foreign Relations	Within 60 days of request		Active

REPORTING REQUIREMENTS AUTHOR: Browne-Wooten ACCESS NUMBER: N00001254 CRS PRINTOUT DATE: 28NOV88

TITLE: Intimidation or Harassment by a Foreign Country of Individuals in the United States

REQUIREMENT: Determination that a country is engaged in a "consistent pattern of acts of intimidation or harassment against individuals in the United States" and that no arms sales may be made to such country.

ASSESSMENT: (1988) Attempts in the past to extend the provisions of this section have failed and the initiative still rests with the President to identify the specific countries that are engaged in intimidation or harassment. However, the determination is not mandatory upon the President and it applies only to friendly nations that depend on the United States as a sole source of arms. The legislative history shows that the intent of this section was to have a deterrent effect upon certain friendly countries.

OPTIONS OR OBSERVATIONS: (1988) Although no report under this section has been submitted to date, the requirement is viewed as having had in the past the intended deterrent effect upon such countries as Taiwan and the Philippines. Congress may wish to call attention to the requirement and solicit input when warranted.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-625, sec. 6	President	Speaker of House Standing on Foreign Relations (Chairman)	Upon occurrence		Active

within 48 hours of the existence of, or a change in, status of significant hostilities or terrorist acts or a series of such acts, which may endanger American lives or property in a country where United States personnel are performing defense services pursuant to the Arms Export Control Act or the Foreign Assistance Act, a report is to be submitted setting forth the identity of such country; description of such hostilities or terrorist acts; and the number of members of the United States Armed Forces and civilian personnel that may be endangered by such hostilities or terrorist acts.

(1988). This report requires a very quick numerical accounting of U.S. military and civilian personnel that may be placed in danger by terrorist acts or hostilities in a country where such U.S. personnel are performing defense services. The reports submitted are very perfunctory, giving a very sparse account of the incident and persons involved. They do not assess the nature of the terrorist/military situation that is the trigger for the report. It is possible that this information could or would be made available by the executive branch without a reporting requirement. Information reported within 48 hours seems likely to be sketchy, at best, in most cases. It may provide important information that has not been obtained through the War Powers Resolution (P.L. 93-148).

(1988) Consideration might be given to repealing provision or extending the time permitted to prepare the report to at least a week to ten days. House Committee on Foreign Affairs and DSAA staff agree that one of these options might be helpful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Arms Export Control Act PL 90-629, sec. 21(c)(2) 22 U.S.C. 2781(c)(2)	President	Speaker of House President Pro Tempe of the Senate	Within 48 hours of occurrence	Feb. 22, 1988; Apr. 2, 1987 (E1 Salvador)	Active

REPORTING REQUIREMENTS	AUTHOR	Shury	ACCESS NUMBER	XXXXX1237	CBS PR, M1017	DATE	20NOV80
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TITLE: Extension of Payment Period for Purchases from U.S. Stocks

REQUIREMENT: Determination that emergency requirements of a country purchasing U.S. defense equipment exceed the ready availability to such country of funds sufficient to pay the U.S. within a 60 day period of the levy and that the 60 day period is extended to 120 days

ASSESSMENT.

(1988) One such determination was made in 1984 regarding El Salvador's 'activity', making payments for combat defense purchases until Congress impeached a president, the president's successor was elected, the country was taken over by a military junta, and the president was assassinated. The president's successor was elected, the country was taken over by a military junta, and the president was assassinated. The president's successor was elected, the country was taken over by a military junta, and the president was assassinated.

OPTIONS OR
OBSERVATIONS: (1988) Remains use'ul

LEGISLATION

Arms Export Control Act:
PL 90-629, sec 21(d)
22 U.S.C. 2761(d)

Presiden*

செய்து

Building
on solid
technology

DATE RECD
June 22, 1984
(E: Salvador)

STATUS

REPORTING REQUIREMENTS AUTHOR: STUDY ACCESS NUMBER H00001236 CRS PRINTOUT DATE 28NOV88

TITLE:

Impact on U.S. Readiness of Weapons Sales

REQUIREMENT

Explanation with respect to a proposal to sell any U.S. defense articles and services that could have a significant adverse effect on the combat readiness of the U.S. Armed forces. Report to include a certification that such sale is important to U.S. security interests

ASSESSMENT:

(1988) Of five related requirements, this is the most comprehensive but apparently is not alone fulfilled. The Administration reports under PL 97-295 (10 U.S.C. 123b) the adverse impact of sales of \$50 million or more from inventories of regular (but not reserve) components of the armed forces, or from current production for U.S. forces. Section 36(b)(1)(f) requires analysis, upon committee request, of the impact on readiness of sales that meet sec. 36(b) reporting thresholds. Section 815(a), PL 96-486 (10 U.S.C. 975) prohibits sales from various war reserve stocks unless the President reports to Congress within 60 days of the sales are to a NATO member. PL 90-629, sec 531(a)(4) requires an annual evaluation of the impact of the Special Defense Acquisition Fund on U.S. readiness. This Act does not require a report on the impact on U.S. readiness or sustainability of sales from procurement (sec. 22) of or commercial sales (sec. 36(c)(1)). House Committee on Foreign Affairs staff recommended combining similar provisions. DSAA thinks this is a valid refinement.

OPTIONS OR OBSERVATIONS

(1988) More comprehensive information on the impact of foreign military sales on U.S. military readiness and combat sustainability might be obtained, if these five requirements were combined in a central piece of legislation, such as AFCA sec. 36. It appears that Congress would be interested in all transfers that have an adverse effect, not just those from stocks, or from regular units, or those over some threshold.

LEGISLATION

Arms Exports Control Act
PL 90-629, sec. 21(c)
22 U.S.C. 2761(c)

FROM WHOM

President

TO WHOM

Speaker of House
S. Comm on Armed
Services
S. Comm on Foreign
Relations

FREQUENCY

Upon occurrence

DATE RECD

Information on
arm transfers
included in sec.
36(b) reports or
to U.S.C. 1331(b)
reports

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Extension of Pay Period for Sales From U.S. Procurement

REQUIREMENT: Determination that it is in the U.S. national interest to permit the payment for cash sales entered into under this section within 120 days of billing; also to include a determination that emergency requirements of the purchasing country exceed the ready availability to such purchaser of funds sufficient to make payments on a dependable undertaking basis.

ASSESSMENT:
(1988) This report addresses delayed payments on sales from procurement as 21(d) addresses delayed payments on sales from DOD stocks. Apparently the provision has not been used and therefore no report has been submitted.

OPTIONAL COMMENTS

(1988) If the Administration did authorize delayed payments under this section, the report would be important to Congress. House Committee on Foreign Affairs staff and DSAAC concur.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act Pl 90-629, sec 22(b) 22 U.S.C. 2762	President	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Grinnett-Shuey ACCESS NUMBER: R00101016 CRS PRINTOUT DATE: 28NOV88

TITLE: Estimate and Justification for Annual Arms Sales Program

REQUIREMENT: A report which sets forth (1) an arms sales proposal covering all sales and licensed commercial exports of major weapons or weapon-related defense equipment, together with an indication of which sales and licensed commercial exports are deemed most likely actually to result in the issuance of a letter of offer or of an export license during such year; (2) an estimate of the total amount of U.S. sales and licensed commercial exports expected to be made to each foreign country; (3) the U.S. national security considerations, the arms control effects, and the impact on regional stability of such sales or exports; (4) an estimate of the total international volume of arms traffic for the past year; (5) an estimate of the value and quantity of U.S. military assistance and arms transfers in the next fiscal year, together with information concerning any country that has been approved for cash flow financing in excess of \$100 million; (6) the analysis of the reduction of services performed during the calendar year by the U.S. military and defense personnel; (7) the analysis of the reduction of services performed during the calendar year by the U.S. military and defense personnel; (8) a list of countries eligible for arms sales and assistance under this Act; (9) progress made by South Korea to modernize its armed forces and the military balance between North and South Korea; (10) the amount and nature of Soviet military aid to Cuba during the past year; and (11) the status of each security assistance loan for which there remains an unpaid obligation or potential liability.

ASSESSMENT: (1988) A centerpiece oversight report (much of which is published in the unclassified annual congressional presentation for security assistance). Much of these data are unique, albeit some are submitted in classified form. The executive branch has been actively and responsibly complying with sec. 25(a)(1) since the summer of the sec. 25(a)(1) report was issued on March 24, 1983. The 1984 report was submitted on Oct. 31, 1985. The 1985 report on Foreign Affairs. The 1985 report was submitted on Nov. 4, 1985. As of early March 1986, this report, due by Feb. 1, 1986, had not been received.

OPTIONS OR OBSERVATIONS: (1988) Congress might consider repeal of subsecs. (9) on South Korea modernization program and (10) on Soviet military assistance to Cuba. House Committee on Foreign Affairs staff and DSA concur that the other provisions remain useful.

LEGISLATION

FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act	President	Annually, by Feb. 1	May 17, 1988;	Active
PL 90-629, sec. 25(a)			Feb. 29, 1988;	
95 Stat. 1557			Feb. 9, 1988; Jan. 17, 1988;	
22 U.S.C. 2766(a)			1987; Mar. 11, 1987; Jan. 19, 1987; Feb. 19, 1987; Mar. 20, 1986; Nov. 4, 1985	

REPORTING REQUIREMENTS AUTHOR: Grimmett-Shuey ACCESS NUMBER: R00101017 CRS PRINTOUT DATE: 28NOV88

TITLE: Additional Information on Annual Arms Sales Programs

REQUIREMENT: Additional information regarding arms sales is to be provided within 30 days of being requested.

ASSESSMENT: (1988) This is a standard oversight provision, allowing Congress to insist on submission of additional information pertinent to any arms sales proposal. It may not be necessary to have this provision in the law. While DSAA finds it a valid requirement, House Committee on Foreign Affairs staff recommends its repeal.

OPTIONS OR OBSERVATIONS: (1988) Congress might wish to consider repeal.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 25(b) 96 Stat 1559 22 U.S.C. 2765(b)	President	S. Comm on Foreign Relations H. Comm on Foreign Affairs	30 days Following the receipt of the request		Active

REPORTING REQUIREMENTS

AUTHOR: Grimmett-Shuey

ACCESS NUMBER: R00408013

TITLE: Security Assistance Surveys

REQUIREMENT :

REQUIREMENT: A list of all security assistance authorized during the preceding calendar quarter, specifying the country with respect to which the survey was or will be conducted, the purpose of the survey and the number of U.S. Government personnel who participated or will participate in the survey; copies available to committees on request.

ASSESSMENT:

ASSESSMENT: (1988) This report stemmed from a congressional perception that justifications for many arms sales had their origin in various surveys conducted by U.S. personnel--surveys whose purpose was to identify what military systems are needed by the country. These surveys can take a number of forms and generally contain highly detailed and sensitive information about a survey nation's military capabilities. They are invariably classified. Although they are rather technical in nature, they could provide Congress with a context for assessing a nation's requirements for U.S. military equipment. House Committee on Foreign Affairs staff recommends retaining the report, but it is one of the few that DSA says is an administrative burden to prepare, and therefore recommends it be rescinded.

OPTIONS OR

(1988) Consider reducing the frequency of the data required to reduce the burden on the preparing agency.

REGISLATION

Arms Export Control Act
PL 90-629, sec. 26(b) and
(c)
32 Stat. 740
22 U.S.C. 2766

FROM WHOM
President

**TO WHOM
S. Comm
Relation
Speaker
House**

FREQUENCY

DATE RECD
Dec. 7, 19
Sept. 16, 19
Mr. 14, 19
17, 1986
(Honduras)

STATUS

Act 1v0

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: W00001104 CRS PRINTOUT DATE: 28NOV88

TITLE: Certification of Proposed Agreement for Cooperative Project

REQUIREMENT: Certification regarding each proposed agreement for a cooperative project with: 1) a detailed project description; 2) an estimate of the articles to be produced; 3) an estimate of the full cost to the United States and other participants; 4) an estimate of the funds to be contributed by the United States and others; 5) a description of the defense articles and services to be contributed by the United States and others; 6) a statement of the foreign policy and national security benefits anticipated; and 7) whether prime contract or subcontracts will be awarded.

ASSESSMENT: (1988) Numerous certifications have been submitted, providing useful and sufficient information.

OPTIONS OR OBSERVATIONS: (1988) Because no notification is required under sec. 36(b) or 36(c) for sales made under a NATO Cooperative Project, it might be useful to note this exception to the procedures in those two sections. House Committee on Foreign Affairs staff concurs.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 27(f) 22 U.S.C. 2767	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	30 days prior to signing agreement	May 10, 1988; Jan. 25, 1988; Aug. 3, 1987; June 3, 1987; May 21, 1987; May 2, 1987; Apr. 27, 1987; Mar. 16, 1987	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001484

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: Cooperative Project to Improve Conventional Defense Capabilities

REQUIREMENT: Report specifying countries eligible for participation in cooperative project agreement under same general terms as NATO countries, and criteria to determine eligibility.

ASSESSMENT: (1988) The report has listed five countries the last two years that are eligible for this program. House Committee on Foreign Affairs and DSA staff finds useful.

OPTIONS OR
OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Arms Export Control Act PL 90-629, sec. 27(j)	President	S. Comm on Armed Services S. Comm on Foreign Relations H. Comm on Armed Services H. Comm on Foreign Affairs	Annually by Jan. 1	Jan. 6, 1988; Feb. 2, 1987	Active

REQUIREMENT :

Report listing each price and availability estimate provided by the U.S. Government during such quarter to a foreign country with respect to a possible sale of major defense equipment or any other defense equipment or service; also to include a list of each request received for the issuance of a letter of offer by the United States for the possible sale of such major defense equipment, or defense articles and services. In the case of estimates or letters of offer provided for major defense equipment, the reporting threshold is \$7 million. In the case of defense articles or services it is \$25 million.

ASSESSMENT :

(1988) This report provides a detailed indication of formal activities that might lead to a foreign arms sale, such as an early indication of interest by a foreign nation in buying a specific weapon system from the United States. The report is direct, complete in format, and has been submitted in a timely manner. DSAA says the report should be eliminated because it provides information on contingent cases which may not materialize. House Committee on Foreign Affairs staff believes the report should continue.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful; consider amending the section to require that the report also include a listing of price and availability (P & A) estimates requested by foreign governments during the prior quarter.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 28
93 Stat. 708
22 U.S.C. 2768(a)

FROM WILSON
President

**TO WHOM
S. Comm
Relations
Speaker
House**

FREQUENCY

DATE RECD

<u>DATE</u>	<u>RECD</u>	<u>STATUS</u>
Aug. 11, 1988		Active
(Classified):	May	
17, 1988:	Feb. 3,	
1988:	Sept. 30,	
1987:	July 29,	
1987:	Apr. 21,	
1987:	Feb. 24,	
1987		

REPORTING REQUIREMENTS

TITLE: Exchange of Military Training and Related Support Costs

REPORT: Report on activities during preceding fiscal year regarding exchange of training and related support of military and civilian defense personnel with a friendly foreign country or international organization, together with the costs of such U.S. and foreign training and support.

ASSESSMENT: (1988) This report has not yet been received. It is several months late.

OPTIONS OR OBSERVATIONS: (1988) Reflects congressional interest.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Arms Export Control Act PL 90-629, sec. 30A 22 U.S.C. 2770a(d)	President	Congress	Annually, by Feb. 1		Active

REPORTING REQUIREMENTS

TITLE:

Forelon Military Sales and Commercial Sales Case Listinos

REQUIREMENT :

REQUIREMENT: Report containing (1) a listing of all letters of offer to sell any major defense equipment for \$1 million or more to each foreign country and international organization which have not been accepted or canceled; (2) a listing of all letters of offer which have been accepted and the total value of all defense articles and services sold to each foreign country and international organization during the fiscal year; (3) the cumulative dollar amounts of sales credit and guaranty agreements made during the fiscal year; (4) a listing of all licenses and approvals for export of commercially sold major defense equipment for \$1 million or more; (5) projections of the value of foreign military sales to be made in the next quarter; (6) projections of foreign military sales for the remainder of the fiscal year; (7) an estimate of the number of military and foreign government employees performing work on defense contracts in each foreign country and international organization; (8) a listing of each country's contribution, gift, commission or fee reported under sec. 39; and (9) a listing of each foreign military construction sale.

ASSESSMENT :

(1988) This is a very valuable report providing unique and useful data on both foreign military sales (FMS) and commercial cases. It has been submitted in a comprehensive and timely manner by the executive branch.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 36(a)
90 Stat. 740
22 U.S.C. 2776(a)

FROM WILSON

President

TO WHOM IT MAY CONCERN:

**S. Comm on Foreign
Relations (Chairman)
Speaker of the
House**

FREQUENCY

Quarterly:
within 60 days
after end of each
fiscal quarter.

DATE RECD

Mar. 14, 1988;
Dec. 7, 1987;
Sept. 16, 1987

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Grimmett-Shuey ACCESS NUMBER: R00408003 CRS PRINTOUT DATE: 28NOV88

TITLE: Major Arms Sales Notification

REQUIREMENT: Certification providing data concerning the proposed sale of any defense articles or services for \$50 million or more, or any design and construction services for \$200,000,000 or more, or any major defense equipment for \$14 million or more.

ASSESSMENT: (1988) This is a central oversight report that has been a key element of the AEA since its enactment. It provides the fundamental information in a comprehensive fashion about all major government-to-government arms sales cases. The executive branch has fulfilled its requirements in a timely manner. DSA provided the following comment on the 20 day advance notification. "In view of the significant advance consultations on sensitive sales (prior even to the initial) and lack of problems in non-sensitive sales, question the continuing need for the advance, particularly since the submission is now being delayed occasionally while Congress is not in session. This process is being stretched beyond its original purpose. The advance was to stimulate discussions and encourage the executive branch to consider the impact of the sale on the national interest. The process is now developing a 60/70, 80 day* scenario for approvals". DSA also proposed elimination of the sec 28 report that can provide early notice of possible sales. House Committee on Foreign Affairs staff recommends retaining the sec. 36(b)(1) report.

OPTIONS OR OBSERVATIONS: (1988) Remains useful. Committees might consider renegotiating the requirement for advanced notification.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE BEC	STATUS
Arms Export Control Act PL 90-629, sec. 36(b)(1) 82 Stat. 1326 22 U.S.C. 2776(b)(1)	President	S. Comm. on Foreign Relations (Chairman) S. Staffer of the House	30 days prior to issuing letter of offer	Apr. 20, 1988 (27 in 1988, as of 6-1-88, 38 in 1987)	Active

REPORTING REQUIREMENTS AUTHOR: Grinnett-Shuey ACCESS NUMBER: N00001107 CRS PRINTOUT DATE: 28NOV88

TITLE: Enhancement of Major Arms Sales Previously Proposed

REQUIREMENT: In the event that any new defense article/equipment/service sold pursuant to a letter of offer described in sec. 36(b)(1) is enhanced or upgraded prior to delivery from the level described in the original notification to Congress, a report describing such enhancement or upgrade and a justification for it.

ASSESSMENT: (1988) This requirement was added to the AEA in 1985 in response to a concern that the executive branch could upgrade weapons previously sold but not delivered with sophisticated equipment and not submit an upgrade notice to Congress. DSA and House Committee on Foreign Affairs staff find useful.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 36(b)(5)(A) 22 U.S.C. 2776(b)(5)(a)	President	H. Comm on Foreign Affairs (Chairman) S. Comm on Foreign Relations (Chairman)	45 days prior to delivery of item	Sept. 16, 1987; May 14, 1986; Feb. 26, 1986	Active

REPORTING REQUIREMENTS AUTHOR: Grinnett-Shuey ACCESS NUMBER: W00001108 CRS PRINTOUT DATE: 28NOV88

TITLE: Enhancement of Major Arms Sales Previously Proposed--Certification

REQUIREMENT: In the event that an enhancement or upgrade of major defense equipment valued at \$14 million or more, defense articles or services valued at \$50 million or more, or design or construction services valued at \$200 million or more, described in a numbered certification previously submitted under sec. 38(b), a new numbered certification will be submitted and considered as if it were a separate letter of offer to sell such equipment, articles or services.

ASSESSMENT: (1988) This requirement was added to the AECA in 1985 in response to a concern that the executive branch could upgrade weapons sold but not delivered with sophisticated equipment and not submit an upgrade notice to Congress for separate review.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 38(b)(5)(C) 22 U.S.C. 2776(d)(5)(c)	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	30 days, in advance	Saudi Arabia, June 1, 1987 (withdrawn June 11, 1987)	Active

REPORTING REQUIREMENTS AUTHOR: Grimmer-Shuey ACCESS NUMBER: R01019053 CRS PRINTOUT DATE: 28NOV88

TITLE: Export License for the Sale of Any Major Defense Equipment

REQUIREMENT:

Certification with respect to an application for a license for the export of any major defense equipment sold under a contract in the amount of \$4 million or more of defense articles or defense services sold under a contract in the amount of \$50 million or more of defense articles or defense services sold under a contract in which such export will be made, the dollar amount of the items to be exported, and a description of the items to be exported. In addition, upon request, a statement setting forth, to the extent specified in such request, a description of the capabilities of the items to be exported, an estimate of the total number of U.S. personnel expected to be needed in the foreign country concerned in connection with the items to be exported, and an analysis of the arms control impact pertinent to such license application prepared in consultation with the Secretary of Defense.

ASSESSMENT:

(1988) This is a central oversight report of the Arms Export Control Act covering commercial arms sales. Its format is clear, details are specific regarding price, country, amounts, etc. These reports have been submitted in a systematic and timely manner.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 36(c)(1)
90 Stat. 743
22 U.S.C. 2776(c)(1)

FROM WHOM

President

TO WHOM

Speaker of the House
S. Comm on Foreign Relations (Chairman)

FREQUENCY

30 days prior to issuing license

DATE RECD

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Grinnett-Shuey ACCESS NUMBER: R01013064 CRS PRINTOUT DATE: 28NOV88

TITLE: Non-NATO Commercial Technical Assistance or Manufacturing Licensing Agreements

REQUIREMENT: Certification with respect to a proposed U.S. commercial technical assistance or manufacturing licensing agreement for a country not a member of the North Atlantic Treaty Organization which involves the manufacture abroad of any item of significant combat equipment on the United States Munitions List; report to specify the foreign country or international organization to which such license is proposed, the dollar amount of the agreement, and a description of the items involved.

ASSESSMENT: (1988) This report provides the only routinely supplied data on this class of commercial transfer activity. Its format is the same as sec. 36(c) of the Arms Export Control Act. It is direct and concise. The executive branch has been timely in its submission of the report. The subsection does not provide for the congressional disapproval of such transfers by enacting a joint resolution considered under expedited procedures. Nor does it require the notification to be submitted 30 days before the agreement is approved. Without this latter provision, the potential effectiveness of the report in alerting Congress in a timely manner is greatly reduced.

OPTIONS OR OBSERVATIONS: (1988) Remains useful, but might benefit from the inclusion of a 30-day review period and the provision of disapproval by joint resolution, considered under expedited procedures.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Arms Export Control Act Pub. Law 90-249, sec. 36(d) 90 Stat. 743 22 U.S.C. 2776(d)	President	S. Comm on Foreign Relations (Chairman) Speaker of the House	Prior to giving approval	Apr. 13, 1988	Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R00101012

AUTHOR: Grimmer-Stuey

REPORTING REQUIREMENTS

Items on the U.S. Munitions List No Longer Warranting Listing

TITLE:

REQUIREMENT: Review of the items on the United States Munitions List to determine what items, if any, the President believes no longer warrant export controls. Thirty days prior to removing any item from the list, the President must submit a report to Congress indicating his intention to take this action, and describing the nature of any controls to be imposed on that item under the Export Administration Act of 1979.

ASSESSMENT: (1988) Congress has delegated regulatory authority to the President to create and revise the U.S. Munitions List which indicates which items of military hardware etc. may not be exported and under what conditions. This report alerts Congress of any pending change in items on that list and is a basic oversight safeguard. Changes have been infrequent, but could be important when they occur. Executive branch compliance has been timely.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 38(r) 95 Stat. 1522 22 U.S.C. 2778(r)	President	S. Comm on Banking, Housing, and Urban Affairs S. Comm on Foreign Relations Speaker of the House	Periodically, at least 30 days prior to removal		Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: R01013047 CRS PRINTOUT DATE: 28NOV88

TITLE: Political Contributions, Gifts, Commissions and Fees Paid by Arms Dealers

REQUIREMENT: Information regarding political contributions, gifts, commissions, and fees paid by American arms manufacturers.

ASSESSMENT: (1988) Information on such payments is provided in a quarterly report under sec. 36(a) and is provided with notification of such payments under sec. 36(b). Statistical data is called for by PL 94-329, sec. 607. House Committee on Foreign Affairs staff recommend repealing this requirement.

OPTIONS OR OBSERVATIONS: (1988) This provision apparently has not been used to provide information to Congress and could be considered for repeal.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 39(d)(1)
90 Stat. 787
22 U.S.C. 2779

FROM WHOM

Secretary of
State

TO WHOM

Any committee

FREQUENCY

Upon request

DATE REQD

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: M0001353

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: Waiver of Prohibition of Exports to Countries Supporting International Terrorism

REQUIREMENT: Determination that it is important to the national interests of the United States to export item on U.S. Munitions List to country that Secretary of State has determined has repeatedly provided support for acts of international terrorism, with justification and description of proposed export. Waiver expires at end of 90 days unless Congress enacts law extending the waiver. (Added by PL 99-398, sec. 808.)

ASSESSMENT: (1988) This is a stronger version of the prohibition than that included at sec. 3(f). It also overlaps with sec. 620A of PL 87-195, and was nearly rewritten by Congress in antiterrorism legislation in 1988. The amended section would have included more specific prohibitions with appropriate congressional reports if the Administration chose to waive the prohibitions (see H.R. 3651 and S. 2776).

OPTIONS OR OBSERVATIONS: (1988) This report remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 40	President	Congress	Upon waiver		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R01013062

AUTHOR: Shuey

REPORTING REQUIREMENTS

TITLE: Financing of Defense Article Coproduced or Licensed Outside the United States

REQUIREMENT: Information on any proposed credit sale or guarantee of credit involving coproduction or licensed production outside the United States of any defense article of U.S. origin; to include a description of the particular defense article or articles to be produced under a license or coproduced outside the United States, the estimated value of such production or coproduction, and the probable impact of the proposed transaction on employment and production within the United States.

ASSESSMENT: (1988) Few reports have been received, primarily because it is generally against administration policy to finance coproduction or licensed production arrangements. Some such transactions with Israel have apparently not been reported. The Administration's analysis of the impact of transactions on U.S. employment and production is based on a brief comparison with levels of U.S. employment and production if no sale were made, not with a sale of totally U.S.-produced goods. The Report provides no long-term economic analysis. House Committee on Foreign Affairs staff recommends such a change.

OPTIONS OR OBSERVATIONS: (1988) Since the Department of Defense generates most of the data within the report, it might benefit Congress to place reporting responsibility on the Department of State. If the Department of State were to generate the reports, this provision could be repealed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Arms Export Control Act P.L. 90-629, sec. 42(d) 82 Stat. 1326 22 U.S.C. 2791(b)	Secretary of State	Speaker of the House President of the Senate Appropriate committees	In advance	Mar. 28, 1988 (Egypt); Sept. 4, 1985; Aug. 8, 1985; Apr. 5, 1983	Active

REPORTING REQUIREMENTS

TITLE: Special Defense Acquisition Fund

AUTHOR: Shuey

ACCESS NUMBER: R00101019

CRS PRINTOUT DATE: 28NOV88

TITLE:

REQUIREMENT :

Report on acquisitions of defense articles and defense services. Each report shall include: (1) a description of each contract for the acquisition of defense articles or services which was entered into during the preceding fiscal year; (2) a description of each contract for acquisition of defense articles or services which the President anticipates will be entered into during the current fiscal year; (3) a description of each defense article or service which was transferred to a foreign country or international organization; and (4) an evaluation of the impact of the utilization on U.S. production and the readiness of the U.S. Armed Forces. House Committee on Foreign Affairs staff and USAAC recommend retaining this provision in its present form.

ASSESSMENT :

(1988) This report is submitted annually as a classified report, providing important data and rationale for the Special Defense Acquisition Fund activity.

OPTIONS OR
OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Arms Export Control Act
PL 90-629, sec. 53(a)
95 Stat. 1524
22 U.S.C. 2795b(a)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Annually, by
December 31

DATE RECD

Jan. 25, 1988:
Jan. 7, 1988: Jan.
6, 1987: Feb. 6,
1986: Jan. 3.
1986: Jan. 3 & 7.
1985: Jan. 4,
1984: Jan. 3.
1983.

STATUS

Act 1v8

REPORTING REQUIREMENTS

TITLE: Special Defense Acquisition Fund--Likely Procurement

REQUIREMENT: Report estimating the likely procurement to be made through the Special Defense Acquisition Fund with procurement schedules and annual costs as part of the annual report required by 10 U.S.C. 139(a).

ASSESSMENT:

(1988) DOD does not report under this subsection giving several reasons: 1) procurement schedules cannot be projected accurately because purchase orders depend on what is sold during the year and on the decision to replace what is sold; 2) the projection would soon be outdated as contracts that provide procurement lead time are sold from the Special Defense Acquisition Fund to a Foreign Military Sales client; 3) most Special Defense Acquisition Fund items do not meet the criteria for the data sheets produced with the report under to U.S.C. 138(a); 4) DOD cannot afford to conduct the research and analysis required to produce the report; and 5) the report that DOD produces contained in the AFCA(3)(a) annual procurement plan each October and the Annual Report each December. DOD has apparently not received complaints from Congress when it did not receive this 53(b) report. House Committee on Foreign Affairs staff recommends the requirement be repealed.

OPTIONS OR OBSERVATIONS: (1988) As there is apparently no congressional need for the information required by sec. 53(b), Congress might wish to consider repealing the requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Area Export Control Act PL 90-629, sec. 53(b) 22 U.S.C. 2785b	President	Congress	Annually, as part of 10 U.S.C. 130a Report		Active

REPORTING REQUIREMENTS AUTHOR: SHURY ACCESS NUMBER: H0001867 CRS PRINTOUT DATE: 28NOV88

TITLE: Waiver of the Requirement to Pay for a Lease

REQUIREMENT: A notification that the President will waive the requirement to pay for a lease of defense articles that is made in exchange for a lease on substantially reciprocal terms. (Added by PL 98-551, sec. 147.)

ASSESSMENT: (1988) The provision granted the waiver authority only for 1988 and only for one unnamed country.

OPTIONS OR OBSERVATIONS: (1988) If Congress does not renew the authority, in 1989 the obsolete provision could be repealed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-629, sec. 91(a)	President	H. Comm on Appropriations H. Comm on Foreign Affairs S. Comm on Appropriations S. Comm on Foreign Relations	Regular presentation procedures of those committees		Out of date

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: R00101013

AUTHOR: Shuay

REPORTING REQUIREMENTS

TITLE: Proposed Amendment for Leases or Loans

REQUIREMENT: Certification which specifies (1) the country or international organization to which the defense article is to be leased or loaned; (2) the type, quantity and value of the defense article; (3) the terms and conditions of the lease or loan; and (4) a justification for the lease or loan, including an explanation why the defense article is being leased or loaned rather than sold under this Act.

ASSESSMENT: (1988) Several reports under this section have been submitted in the past few years. They provided details on the items to be leased and an explanation of the program. No loans were reported although some leases required no payment because the equipment had exceeded 75 percent of its service life.

OPTIONS OR OBSERVATIONS: (1988) Reports under this section provide useful information to Congress when the Administration transfers defense articles under a loan or lease rather than a grant or sale.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-829, sec. 62(a) 96 Stat. 1826 22 U.S.C. 2796a(a)	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	30 days prior to entering into any agreement	Apr. 28, 1988; Mar. 1, 1988; Feb. 22, 1988 (8 in 1987, 27 in 1988)	Active

REPORTING REQUIREMENTS AUTHOR: Shuy ACCESS NUMBER: R00400182 CDS PRINTOUT DATE: 28NOV88

TITLE: Waiver of Congressional Review of Lease or Loan Agreement

REQUIREMENT: Determination that an emergency exists which requires the United States to enter into lease or loan agreements immediately.

ASSESSMENT: (1988) Five such determinations were made in 1982, but none since then.

OPTIONS OR OBSERVATIONS: (1988) There appears to be no disagreement that the President should notify Congress immediately if he determines that an emergency requires him to waive the 30-day advance notification before leasing or lending defense equipment to a foreign country and that this requirement is useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Arms Export Control Act PL 90-609, sec. 62(b) 22 U.S.C. 2796	President	Congress	Upon determination		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: M0001290

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: MAC Report on Latin American Defense Expenditures and Democratic Institutions

REQUIREMENT: Report on "steps taken jointly and individually by member countries of the Inter-American Development Bank to restrain their military expenditures, and to preserve and strengthen free and democratic institutions."

ASSESSMENT:

(1988) The executive branch has not actually complied with this requirement. It has provided information annually on Latin American military expenditures. It has never provided any information on the steps taken to limit or reduce military spending or on steps taken by the Latin Americans to strengthen democratic institutions, even though this has been an issue of major concern for several years. Congressional offices are apparently unaware that these aspects of the reporting requirement exist. The executive branch estimates that this reporting requirement should be completed by the end of the year. It also indicates that the report required by the Foreign Assistance Act. Since the data in the sec. 620(s) report and the MAC report are virtually identical, a case could be made that the MAC presentation is unnecessary. On the other hand, the reporting requirement on Latin American defense spending is one expression of a longstanding congressional concern. It was enacted three years after legislation requiring the U.S. executive director at the IDB to oppose all loans which assist the Latin American countries "directly or indirectly to acquire sophisticated or heavy military equipment" (sec. 16(c) of PL 88-147.) The executive branch has also never adhered to this other requirement.

OPTIONS OR OBSERVATIONS:

(1988) There are several options. (1) Congress might simply delete the requirement that the MAC annual report publish data on Latin American defense expenditures, as this duplicates data provided in the sec. 620(s) report. (2) Alternatively, it might require that the MAC report discuss steps taken by governments to limit military spending, rather than simply present data on Latin American military spending. (3) Congress might rework the reporting requirement so that it more directly addresses the issues raised by the directive that the U.S. oppose loans which might help the Latin Americans directly or indirectly to finance their military purchases. (4) As a separate matter, Congress might decide whether it wants the Administration to report annually on Latin American steps to strengthen democratic institutions.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Act of Dec. 30, 1970 PL 91-509, sec. 31(2)	MAC (Treasury Chairs)	Congress	Annually		Active

Approved and Outstanding Multilateral Development Bank Loans

REPORT: Report which includes a statement with respect to each loan approved and outstanding, made by the International Bank for Reconstruction and Development, the International Development Association, the Inter-American Development Bank, and the Asian Development Bank, including an evaluation of new loans made by said organization and a progress report of the project covered by each loan, and a discussion of how each loan will benefit the people of the recipient country.

ASSESSMENT: (1988) The executive agencies have not complied fully with the requirement. The MAC does publish a detailed description of the MOB loans approved in the past year. Often, these are the most thorough descriptions of the new MOB projects which are publicly available. Nevertheless, the MAC has never published any information on the status of the MOB's outstanding projects or reports on the progress of projects previously approved. There are understandable reasons why the executive agencies might be reluctant to prepare a comprehensive report of this type. The MAC has not been able to obtain such reports from the executive agencies. The MAC's executive branch has nobody responsible for systematically overseeing the actual implementation of the MOB's previous loans. This makes it difficult for the executive agencies to adequately monitor the MOB's operations. The executive agencies must rely on the MOB's for virtually all their information on the status, success or problems with previously approved MOB loans, and because the executive agencies have no separate data base, they have no systematic means for checking MOB information or for comparing it with previous reports. The law actually requires the executive agencies to submit reports to the MAC on the status of the MOB's projects. The executive branch and Fungo to the MAC began including summaries of those loans as well. There is no requirement for MOB reports on and outstanding IFC or IIC projects, and the MAC has not included this information in its annual presentation.

(1988) Consider either requiring the MAC to report periodically on the status of previously approved R&D projects or dropping that reporting requirement from the law. Congress might also consider extending the reporting requirement to also cover the IFC and the IIC. See assessment under PL 79-171, sec. 4(b).

LEGISLATION

Act of Dec. 30, 1970
PL 91-500, sec. 31(1)
84 Stat. 1658
22 U.S.C. 2880-1

NO. 103

**National
Advisory Council
on International
Monetary and
Financial Policy**

TO WIN

ACKNOWLEDGMENTS

Annually, as part of MAC's annual report

DATE RECD

STATUS

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: R01013081 CAS PRINTOUT DATE: 28NOV68

TITLE: Grant Excess Defense Articles

REQUIREMENT: Report on each decision to furnish on a grant basis to any country excess defense articles which are major weapons systems to the extent such major weapons system was not included in the presentation material previously submitted to the Congress. The annual presentation materials for security assistance programs shall include a table listing by country the total value of all deliveries of excess defense articles, disclosing both the aggregate original acquisition cost and the aggregate value at the time of delivery.

ASSESSMENT: (1968) Defense Department stopped transferring excess defense articles (EDA) on a grant basis in 1961, but apparently has the authority to resume such transfers. Now it sells EDA for cash, FMS credit, or MAP grant funds that are merged with FMS credits. House Report 90-70 on the International Security Assistance Act of 1979 calls for a list of sales in EDA in the annual presentation documents and such a list must be included in the quarterly reports under sec. 36(a), PL 90-629. House Committee on Foreign Affairs and DSAA agree the provision should be repealed.

OPTIONS OR OBSERVATIONS: (1968) The requirement is obsolete and could be repealed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Military Sales Act Amendments, 1971 PL 91-672, sec. 8(d) 92 Stat. 747 22 U.S.C. 2321b(d)	President	S. Comm on Foreign Relations S. Comm on Appropriations Speaker of the House	Annually, presently report additional grants		Active

REPORTING REQUIREMENTS AUTHOR: Sanford CRS PRINTOUT DATE: 28NOV88
ACCESS NUMBER: N0001272

TITLE: African Development Fund Activities

REQUIREMENT: Report on U.S. participation in African Development Fund.

ASSESSMENT: (1988) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b).

OPTIONS OR OBSERVATIONS: (1988) Retains utility for Congress. Congress may wish to consider consolidating the seven requirements as one umbrella requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
African Development Fund Act PL 94-302, sec. 204 22 U.S.C. 286b	National Advisory Council on International Monetary and Financial Policies (NAMC)	Congress	Annually, to be included in MAC report		Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: R17701011 CRS PRINTOUT DATE: 28NOV88

TITLE: Small Business Participation in AID-Financed Procurement

REQUIREMENT: Report on the extent to which small businesses have participated in procurement under chapter 4 of the Foreign Assistance Act of 1961, as amended, which provided for U.S. assistance to foreign countries in order to promote economic or political stability; report also to describe efforts of the Agency to foster procurement from small business concerns under that economic development program.

ASSESSMENT: (1988) AID claims that the required information appears as a subsection of the semiannual report on Procurement of U.S. Goods and Services; however, AID officials were uncertain whether that information has been submitted to Congress. Copies of the report available to CRS do not identify any small business component. AID estimated that the report took '86 work hours and cost \$3,400 in FY 1988.

OPTIONS OR OBSERVATIONS: (1988) The report, Procurement of U.S. Goods and Services, could note which are small businesses and print a subtotal for these.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Security Assistance and Arms Export Control Act, 1976 PL 94-329, sec. 602 90 Stat. 798 22 U.S.C. 2352 note	AID Administrator	Congress	Semiannually		Active

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N0001241 CRS PRINTOUT DATE: 28NOV88

TITLE: Illegal Payments by U.S. Corporations to Foreign Officials Involved in Military Purchases

REQUIREMENT: Report outlining circumstances under which officials of a foreign country have been receiving U.S. security assistance have been involved with extortion or illegal payments from U.S. corporations.

ASSESSMENT: (1988) Apparently no reports under this section have been received by Congress. When enacted in 1978, this provision did not address an amendment to the Foreign Assistance Act of 1961 but was placed in the U.S. Code with other provisions of the International Security Assistance and Arms Export Control Act of 1976. It focuses on transgressions of foreign countries that receive security assistance. Section 39(d) AECA (PL 90-629) focuses on contributions, gifts, commissions, and fees paid by U.S. persons to foreign purchasers of U.S. defense articles or services. House Committee on Foreign Affairs staff recommends combining this requirement with related section in PL 90-629.

OPTIONS OR OBSERVATIONS: (1988) It would appear logical to combine this reporting requirement with that under AECA sec. 38(a)(8) and sec. 39(b)(1) or under sec. 39(d) if that section is not repealed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security Assistance and Arms Export Control Act: 1976 PL 94-329, Sec. 607 22 U.S.C. 2354a	President	Congress	Within 90 days of receiving information		Active

REPORTING REQUIREMENTS

TITLE: Human Rights and Multilateral Development Banks

REQUIREMENT: Report on the progress toward achieving the goals of this title concerning international human rights and multilateral development banks.

ASSESSMENT: (1988) report summarizes U.S. efforts to advance the cause of human rights at the international financial institutions. Information provided overlaps somewhat with both that provided in the quarterly reports required by sec. 701(g) of the International Financial Institutions Act and the annual report of the National Advisory Council on International Monetary and Financial Policy. Human rights policy discussion is unique to this report.

(1988) Report is useful for congressional oversight but consideration might be given to combining with other reports referred to above.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act P.L. 96-118, sec. 701(c) 96 Stat. 1836 22 USC 262d(c)(1), (d)	Secretary of State and Secretary of the Treasury	Speaker of the House President of the Senate	Annually	Aug. 6, 1987	Active

REPORTING REQUIREMENTS AUTHOR: Sanford-Bite ACCESS NUMBER: R01213022 CRS PRINTOUT DATE: 28NOV88

TITLE: Quarterly Report on IDB Lending and Human Rights

REQUIREMENT: Report on all loans considered by the Boards of Executive Directors of the multilateral development banks (MDBs), indicating for each the amount, the purpose, the U.S. vote, whether the project meets basic human needs, and the final disposition of the proposed loan (added by PL 96-259, sec. 501(a)).

ASSESSMENT: (1988) Reports under this requirement are heavily used. Besides providing the basic information needed for monitoring and assessing the impact of IDB lending on the human rights situation, the quarterly list also provides congressional staff with its only regularly available up-to-date U.S. list of recent IDB loans. The law does not specify any deadline for submission of this quarterly report. The executive branch usually consolidates this quarterly report and the sec. 701(g)(1) reports as a single document.

OPTIONS OR OBSERVATIONS: (1988) The report serves a useful purpose. Consideration might be given to attaching a deadline for its submission and consolidating this requirement with the other human rights quarterly report required by sec. 701(g)(1).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act PL 95-118, sec. 701(c)(2)(A) 94 Stat. 281 22 U.S.C. 262d(c)(2)	Secretary of the Treasury	S. Comm on Foreign Relations H. Comm on Banking, Finance, and Urban Affairs	Quarterly	Aug. 12, 1988	Active

CBS PRINTOUT DATE: 28NOV08

ACCESS NUMBER: N0001288

AUTHOR: Sanford-Bite

REPORTING REQUIREMENTS

TITLE: NAC Annual Report on Human Rights and MDGs

REQUIREMENT: Requires that the MAC annual report include, for the previous year, the same information which is included in the Treasury's quarterly reports to Congress on human rights and multilateral development banks (aggs). This includes a list of the MAB loans approved during the past year, the U.S. vote on those loans, and whether the loan meets basic human needs.

ASSESSMENT: (1988) This report complies, for the past year, the data already provided Congress in the required quarterly human rights reports (sec. 701(c)(2)). Published in the MAC annual report, however, the data have broader public availability.

OPTIONS OR OBSERVATIONS:

(1988). Instead of providing a separate annual report to Congress on MOAs and human rights, the executive might employ the NAC annual report as its single vehicle for annual reports on this subject. Consolidating the reports mandated by sec. 701(c)(1), sec. 701(c)(2)(B), and sec. 701(d) would put all the information on human rights and MOAs in a single document, rather than in separate documents, and that information would be more readily available to Congress and the public. Use of the NAC annual report might also encourage the executive to be more concise and specific with its annual review of policy concerns. The Administration's report on human rights issues and MOAs trending—currently in the two Secretaries' report—might be more concise and more useful if it were included in the NAC annual report.

LEGISLATION

International Financial
Institutions Act
PL 95-118, sec.
701(c)(2)(B)
22 U.S.C. 262(d)

FROM WHOM

NAC (Treasury

TO WHOM

Congress
President of the
Senate

FREQUENCY

Annually

DATE RECD

current report
for CY 1987 in
printing

STATUS

Act 1v

REPORTING REQUIREMENTS AUTHOR: Sanford-Bite ACCESS NUMBER: R01213023 CRS PRINTOUT DATE: 28NOV88

TITLE: Quarterly Report on U.S. Opposition to RRB Loans Because of Human Rights Considerations

REQUIREMENT: Report on any instance where the United States votes against a multilateral development bank (MDB) loan because of human rights conditions (added by PL 96-259, sec. 501(b)).

ASSESSMENT: (1988) In practice, the executive branch consolidates this quarterly report with the one required by sec. 701(c)(2)(A). The law requires submission of the report at least 15 days after the end of the calendar quarter. Congress has not yet passed legislation to require the report to be submitted in a timely fashion. First, they have to meet Treasury to submit it in a timely fashion. Second, they say the report generally falls to adhere to the stated requirement that it give "the reasons for such opposition" and "all policy considerations taken into account in reaching the decision to oppose" the loan, and "information on how the decision to oppose such loans relates to overall U.S. Government policy on human rights in such country." Congressional staff say that only once, in the past many years, has the executive branch provided this required information in its quarterly human rights reports. Third, some staff complain that the law requires the Treasury to report on any instances where the administration decides to start opposing loans to a country but it does not require a report in any instances where the Administration decides to start supporting loans to a country previously deemed to be a human rights violator.

OPTIONS OR OBSERVATIONS: (1988) Congress might consider encouraging executive branch compliance with the deadline and the requirement that the executive explain its decision on opposing loans in specific instances. Congress might also consider whether the reporting requirement should cover all occasions where the U.S. Government changes its policy or whether it should continue only covering instances where the United States changes its vote from "yes" to "no." House Committee on Foreign Affairs currently does not receive reports--may wish to do so.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Financial Institutions Act PL 96-118, sec. 701(g)(1) 94 Stat. 432 22 U.S.C. 2080(g)(1)	Secretary of the Treasury in consultation with Secretary of State	S. Com on Foreign Relations H. Com on Banking, Finance, and Urban Affairs	Quarterly (30 days after end of each calendar quarter)	Aug. 12, 1988	Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001286 CRS PRINTOUT DATE: 28NOV88

TITLE: IMB Loans and Lending Assistance to the Needy

REQUIREMENT: Reports on the extent to which the multilateral banks have made progress in targeting an increased proportion of the benefits of their aid to help needy people in their borrower countries.

ASSESSMENT: (1988) The Treasury Department does not appear to have complied with the requirements. Treasury filed brief reports in 1982 and 1983 which were supposed to be in response to this requirement, but they failed to address the issues of concern raised in the requirement. Treasury also failed to respond to the requirement in 1984. The original legislation (the 1980 act) required that the Department file a report in 1984. Treasury has not responded to CRS inquiries about whether that report was ever filed.

OPTIONS OR OBSERVATIONS: (1988) Consider deletion of this reporting requirement, as there appears to be little congressional concern about its implementation. The reporting requirements in secs. 1501(b)(1), 1601(c), and 1603(c) may help Congress obtain information relevant to this concern, although--strictly speaking--only the last is a requirement that the executive branch provide Congress with the relevant data. The first two are requests that the World Bank consider making such reports.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act PL 96-486, sec. 1103 96 Stat. 748 22 U.S.C. 282(g-2)(note)	Secretary of Treasury	Speaker of House Committee on Foreign Relations (Chairman)	Three times: May 1982, 1983, 1984	1982, 1983 filed 1984 report unclear.	Out of date. Status of date

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001287 CRS PRINTOUT DATE: 28NOV88

TITLE: Treasury Consultations on Future MGB Contributions

REQUIREMENT: Consultation before agreeing to any new U.S. contributions to multilateral development banks.

ASSESSMENT: (1988) This law gives key leaders of Congress a chance to comment in advance before the Administration agrees to any internationally negotiated plan requiring the U.S. to contribute to the MGB. The law also requires that the Administration must consult with Congress before the United States can actually participate in the new MGB funding plan. The law specifies which members of Congress (committee and subcommittee chairs and ranking minority members) are to be consulted, and it requires that Treasury consult at least three times--30 days or more before the MGB funding negotiations begin, during the course of the negotiations, and before the final session at which the U.S. representatives would agree to a new MGB funding plan. The executive branch does not always begin its consultations on a timely basis, however. Some congressional sources complain that the initial contacts often occur just before--not 30 days before--the U.S. negotiators leave for the start of the negotiating sessions. They claim this hampers their capacity to influence the shape of the initial U.S. position in the talks. Some congressional offices also claim that the executive branch does not consult with Congress often enough. They say that the executive branch has a tendency to use the consultation process to solicit views from many sources, so few congressional players get a controlling voice in the process. Executive agency officials and congressional sources overwhelmingly agree that this consultation requirement has served a useful purpose by helping the key players in the Administration and Congress monitor developments and keep abreast of each others' concerns. Before the legislation was enacted, there were serious problems in this regard.

OPTIONS OR OBSERVATIONS: (1988) Meets continuing congressional needs. Congress might consider how to insist that the executive branch begin its consultations with Congress on time, that is, the statutory 30 days prior to the start of the negotiations.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Financial Institutions Act, PL 98-118, sec. 1201	Secretary of the Treasury	H. Comm on Banking and Finance S. Comm on Foreign Relations H. Comm on Appropriations S. Comm on Appropriations	30 days before, during and before the conclusion of all MGB funding negotiations		Active

REPORTING REQUIREMENTS

AUTHOR: Abbas1

ACCESS NUMBER: N0001677

CIS PRINTOUT DATE: 28NOV68

TITLE:

Environmental Assistance Program

REQUIREMENT:

Assistance proposals of multilateral development loans identified as likely to have adverse impacts on the environment, natural resources, public health, or indigenous peoples (added by PL 100-202, sec. 101(e)).

ASSESSMENT:

(1988) This report is virtually identical (with different report dates) to another report required by sec. 537(h) of the FY 1988 Appropriations Act (PL 100-202). This report identifies 32 projects of various MBAs providing details of environmental, resettlement and other concerns. It satisfies the intent of Congress, although it is difficult to assess how many projects not on the list may also have problems. The reporting requirement has resulted in AID upgrading its "early warning system" on MBAs projects; in many cases, AID "status" section of report indicates contacts by AID with MBAs staffs regarding problems. It is likely more of the latter are occurring due to the existence of this list. Bank staff have commented that they often have resolved problems identified by AID and so the list is obsolete.

OPTIONS OR OBSERVATIONS:

(1988) Report serves useful purpose. Consider changing report dates to April and October and not renewing similar requirement in Appropriations Act (PL 100-202, sec. 537(h)).

LEGISLATION

International Financial Institutions Act
PL 96-118, sec. 1303(c)

FROM WHICH

AID Administrator, in consultation with Secys. of State, Treasury
H. Comm on Appropriations
S. Comm on Appropriations
H. Comm on Banking, Finance, and Urban Affairs
S. Comm on Foreign Relations

TO WHICH

H. Comm on Appropriations
S. Comm on Appropriations
H. Comm on Banking, Finance, and Urban Affairs
S. Comm on Foreign Relations

FREQUENCY

June 30; Dec. 31, 1988; annually thereafter

DATE REC'D

Apr. 18, 1988

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Abbas1 ACCESS NUMBER: W0001676 CRS PRINTOUT DATE: 28NOV88

TITLE: Status Report on Environmental Assistance Program

REQUIREMENT: Progress report on implementation of objectives in title XIII on the environment (added by PL 100-202, sec. 101(e)). Cover letter says "submitted in compliance with the provisions of PL 99-261." PL 100-202 made this an annual requirement.

ASSESSMENT: (1988) This 19-page report is primarily a transmission by the Treasury Department of information given to them by the banks. 1987, the year covered by this report, was a period in which the MBAs reorganized and/or put new environmental functions in place. No evaluation of changes in practices is presented; information covers mainly staffing and organization.

OPTIONS OR OBSERVATIONS: (1988) The report meets the statutory requirements, and accomplishes the congressional goal of getting attention and some organizational change for treatment of environment in MBAs structures. More evaluation of changes and environmental priorities in bank operations would be expected in future reports.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act PL 95-118, sec. 1307	Secretary of Treasury, State Department, AID	S. Comm on Appropriations H. Comm on Appropriations S. Comm on Foreign Relations H. Comm on Banking, Finance, and Urban Affairs	Jan. 15, 1988; annually thereafter	Feb. 5, 1988	Active

REPORTING REQUIREMENTS AUTHOR: Sanford-Abbas1 ACCESS NUMBER: N0001696 CRS PRINTOUT DATE: 28NOV88

TITLE: Interim Report on Grassroots Collaboration Program

REQUIREMENT: Report six months after enactment of legislation requiring executive to seek establishment of a Grassroots Collaboration Program at the World Bank. Report is to discuss the steps taken by the United States in furtherance of the program, the response of the other executive directors, and the status of the establishment of the program.

ASSESSMENT: (1988) The interim report meets the basic requirements of the law. Commentators from Non-Governmental Organizations have argued, however, that the report is cursory and lacking in detail. In certain respects their criticisms may be justified. The report is not clear, for example, as to how much the executive branch supports adoption of the program. The report relates to Congress what the World Bank says it is doing in the five areas covered by the program but it does not provide much independent U.S. analysis of the Bank's presentation. The report also refers frequently to data contained in other documents, without presenting a summary of that information to its readers. Many of those documents may not be available to congressional readers of the report.

OPTIONS OR OBSERVATIONS: (1988) Report was submitted. Consider urging Administration to prepare a comprehensive report for the 1988 NAC report (required by sec. 1602(e)).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act PL 96-118, sec. 1602(d)	Secretary of the Treasury	H. Comm on Appropriations S. Comm on Appropriations H. Comm on Banking, Finance and Urban Affairs S. Comm on Foreign Relations	June 22, 1988	August 1988	Fulfilled

CBS PRINTOUT DATE: 29NOV08

ACCESS NUMBER: N0001674

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: Annual Report on Grassroots Collaboration Program

REQUIREMENT: Secretary of the Treasury shall include information in MAC annual report on status of the Grassroots Collaboration plan outlined in the legislation including activities and expenditures in past year (added by PL 100-202, sec. 101(e)).

ASSESSMENT: (1988) Because the requirement was enacted after the close of FY 1987, the Department of the Treasury has ruled that the first such report will be included in the 1988 MAC report, which will appear in late 1989.

(1988) Assess report when it appears to see if it is satisfactory. Report will appear almost two years after legislation requiring it was first enacted.

LEGISLATION

International Financial
Institutions, Act
PL 95-118, sec. 1602(e)

FROM WHOM

**National
Advisory Council
on International
Monetary and
Financial Policies
(Treasury Chairs)**

TO WHOM IT MAY CONCERN:

Congress

FREQUENCY

Annually in MAC
annual report

DATE RECD

STATISTICS

Active

REPORTING REQUIREMENTS

TITLE: **Microenterprise Credit Promotion Activities**

REQUIREMENT: Status of the microenterprise credit promotions activities of the IBRD, IDA, African Development Bank, and the Asian Development Bank (added by PL 100-202, sec. 101(e)).

ASSESSMENT: (1988) This requirement was enacted in December 1987. Treasury reports that data on MD8 activity will be included in the MAC 1988 report, due in mid-to-late 1989.

OPTIONS OR OBSERVATIONS: (1988) May wish to require an interim half-yearly report now.

LEGISLATION	FROM INCH	TO INCH	FREQUENCY	DATE REC'D	STATUS
International Financial Institutions Act PL 95-118, sec. 1803(c)	National Advisory Council on International Monetary and Financial Policies	Congress	NAC annual report		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: M0001872 CMS PRINTOUT DATE: 28NOV68

TITLE: Women In Multilateral Bank Activities

REQUIREMENT: Actions taken by multilateral development banks to fully integrate women in the planning, design, implementation, and evaluation of lending activities in borrowing countries and within banks (added by PL 100-202, sec. 101(e)).

ASSESSMENT: (1968) This is a new requirement (adopted December 1967). The report should be included in the MAC 1968 report, due mid-1969.

OPTIONS OR OBSERVATIONS: (1968) May wish to consider requiring Department of the Treasury to file an interim report.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Financial Institutions Act PL 85-118, sec. 1004(c)	National Advisory Council on International Economic and Financial Policies	Congress	MAC annual report		Active

REPORTING REQUIREMENTS AUTHOR: Nowels ACCESS NUMBER: R01007003 CRS PRINTOUT DATE: 28NOV88

TITLE: Report of Debt Relief Appropriations

REQUIREMENT: Text of agreement with any foreign government which would result in any debt relief, together with a detailed justification of the interest of the United States in the proposed debt relief.

ASSESSMENT:

(1988) This reporting requirement, enacted ten years ago, apparently responded to two congressional concerns: that debt rescheduling, in some cases, represented a form of economic assistance in which Congress did not play a direct role; and that the terms and conditions of previously enacted foreign aid loans were being altered and that authorizing and appropriating committees needed to know the extent of such changes. As submitted by the State Department, these reports include not only the text of new debt rescheduling agreements, but also a justification of the rescheduling, a statement of the extent of the debt, and a statement of the impact of the rescheduling on the consolidated debt and the budget impact of the agreement. This statistical information is particularly useful in assessing the scope of the rescheduling and its effect from the perspective of both the country involved and in various U.S. aid programs. Congress received about ten reports in 1988 under this provision. In 1987, Congress added a similar but somewhat broader requirement for debt rescheduling information as part of the annual foreign assistance appropriation act (currently required by PL 100-461, sec. 557). AID has not regarded this requirement as a problem, although it believes the provision is unnecessary. AID would object, however, if Congress used this notification to place "holds" on pending agreements and delay the implementation of new debt rescheduling.

OPTIONS OR OBSERVATIONS:

(1988) Because of the similarity between this and the report required in sec. 557 of PL 100-461, Congress might consider consolidating the two requirements and retaining in permanent law under this section. Congress might also reassess the need to receive the entire text of each agreement. Alternatively, interested committees could request copies of the rescheduling on an as needed basis. While the statistical data are useful, Congress might also consider whether it is necessary 30 days in advance of the agreement's implementation date. Such information could be consolidated into periodic reports and submitted quarterly to the appropriate congressional committees.

LEGISLATION

International Development and Food Assistance Act, PL 96-424, sec. 803(a)(2)
92 Stat. 960
22 U.S.C. 2395a

FROM WHOM

Secretary of State

TO WHOM

H. Com on Foreign Affairs
H. Com on Appropriations
S. Com on Foreign Relations
S. Com on Appropriations

FREQUENCY

30 days prior to entry into force of agreement

DATE RECD

July 22, 1988: Senegal, June 29, 1988; May 18, 1988; Zaire, Mar. 17, 1988; Morocco, Mar. 11, 1988; Gabon, Feb. 22, 1988; Niger, Feb. 17, 1988; Somalia, Jan. 28, 1988; Uganda, Jan. 20, 1988; Egypt, Jan.

STATUS

Active

REPORTING REQUIREMENTS

TITLE: **African Development Bank Activities**

REQUIREMENT: Report on U.S. participation in African Development Bank

ASSESSMENT: (1989) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b)

OPTION 3 OR OBSERVATIONS: (1988) Retains utility for Congress. Congress may wish to consider consolidating the seven similar requirements as one umbrella requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
African Development Bank Act PL 97-35, sec. 1336 22 U.S.C. 2901-8	National Advisory Council on International Monetary and Financial Policies (NAC)	Congress	Annually, in NAC report		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001275 CBS PRINTOUT DATE: 28NOV68

TITLE: African Development Bank Exempt Securities

REQUIREMENT: Information regarding African Development Bank securities, including any views presented by associations of registered securities dealers.

ASSESSMENT: (1968) The SEC has not made the required reports. See assessment under PL 81-142, sec. 3.

OPTIONS OR
OBSERVATIONS: (1968) This report may have outlived its purpose. Congress may wish to consider repeal.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
African Development Bank Act PL 87-95, sec. 1341(b) 22 U.S.C. 2801-9	Securities and Exchange Commission	Congress	Annually		Active

REPORTING REQUIREMENTS AUTHOR: Serafino-Day ACCESS NUMBER: R00101006 CRS PRINTOUT DATE: 28NOV88

TITLE: Amounts Obligated and Actually Expended in Nicaragua

REQUIREMENT: Report accounting fully for the amounts obligated and actually expended in Nicaragua for each six month period in which any funds are expended under this Act.

ASSESSMENT: (1988) This requirement is no longer relevant, as it applied only to funds for fiscal years 1982 and 1983. Congressional staff agree.

OPTIONS OR OBSERVATIONS: (1988) Consider repeal of this requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Democracy Cooperation Act, 1981 PL 97-113, sec. 724(e) 96 Stat. 1553 22 U.S.C. 2151 note	President	S. Comm on Foreign Relations (Chairman) Speaker of the House	Semiannually	Oct. 13, 1987; Mar. 10, 1987	Out of date

REPORTING REQUIREMENTS AUTHOR: Serafino-Site ACCESS NUMBER: R00101007 CDS PRINTOUT DATE: 28NOV88

TITLE: Certification of Chilean Progress In Human Rights

REQUIREMENT: In the event the executive branch wants to resume certain types of aid, assistance, or goods to Chile, the President must present a determination certifying that Chile has made significant progress in complying with internationally recognized principles of human rights; that the provision of such assistance, articles or services is in the national interest of the United States; that the Government of Chile is not aiding or abetting international terrorism; and that it has taken appropriate steps to bring to justice by all legal means available in the United States or Chile those indicted in 1978 by a U.S. grand jury in connection with the murders of Orlando Letelier and Ronni Morfitt. This requirement must be fulfilled in order to provide assistance under chapters 2 (military assistance), 4 (economic support and international military education and training), and 5 (technical assistance or professional assistance) of the Foreign Assistance Act of 1961, or assistance under the Export Control Act and any credits or loans guaranteed under such act, and to grant export licenses under sec. 38 of the Arms Export Control Act.

ASSESSMENT: (1988) This requirement was widely seen as deterring a request for military aid to Chile by the Reagan Administration during its early years in office. Although Administration policy currently appears to rule out the resumption of military aid to Chile's military government, supporters of the Administration policy believe that a certification report, presented when and if Administration wishes to resume aid at some future point, will be useful to convince some who currently oppose such aid that it should be resumed.

OPTIONS OR OBSERVATIONS: (1988) Although most analysts state that the Administration will not ask for military aid for Chile if conditions there remain unchanged, some would retain this requirement as a statement of congressional position on Chile to avoid misleading signals to the Chilean military government.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1981 PL 97-113, sec. 728(b)	President	S. Comm on Foreign Relations (Chairman) Speaker of the House	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Donnelly ACCESS NUMBER: R00101009 CRS PRINTOUT DATE: 28NOV88

TITLE: Nuclear Programs & Related Activities of Certain Countries

REQUIREMENT: Report describing the nuclear programs and related activities of any country for which a waiver of secs. 669 and 670 of the Foreign Assistance Act, 1961, is in effect; to include an assessment of the extent and effectiveness of International Atomic Energy Agency safeguards at that country's nuclear facilities; and the capability, actions, and intentions of the government of that country with respect to the manufacture or acquisition of a nuclear explosive device.

ASSESSMENT: (1988) To date this "as required" report has been applied to only one country, Pakistan. Most comment was that this reporting requirement remains worthwhile and would be useful if the Glenn-Synington amendments (secs. 669 and 670 of the Foreign Assistance Act of 1961, as amended) are triggered again in the future.

OPTIONS OR OBSERVATIONS: (1988) Addresses continuing congressional concern.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1981 PL 97-113, sec. 735 96 Stat. 1561 22 U.S.C. 2429a-1	President	Congress	Annually (as part of foreign aid presentations)		Active

REPORTING REQUIREMENTS

ACCESS NUMBER: R00408005

AUTHOR: Grimsitt-Shury

TITLE:

CDS PRINTOUT DATE: 28NOV68

Impact of Major Arms Sales on U.S. Readiness

REQUIREMENT: Report in the case of any letter of offer to sell or any proposal to transfer defense articles which are valued at \$50 million or more from the U.S. active armed forces inventory or from current production; report to state the impact of the sale on U.S. readiness, the adequacy of reimbursements, and other information.

ASSESSMENT: (1968) This report gives Congress an indication of any major foreign arms sales that might adversely affect U.S. readiness by drawing down weapons from stocks of active U.S. forces. See secs. 21(1), 35(b)(1)(F), and 53(a)(4) of PL 90-629, and sec. 815(a) of PL 95-946 (10 U.S.C. 975).

OPTIONS OR OBSERVATIONS: (1968) Remains potentially useful, but could be combined with similar reports.

LEGISLATION

Act of Oct. 12, 1962
PL 87-295, sec. 1(1)
48 Stat. 1387
10 U.S.C. 118

FROM WHOM

Secretary of
Defense

TO WHOM

Congress

FREQUENCY

30 days prior to
occurrence of
event

DATE REC'D

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: R00101026 CRS PRINTOUT DATE: 28NOV88

TITLE: Termination of Designation of a Beneficiary Country To Receive Duty-Free Treatment

REQUIREMENT: Notification of intention to terminate designation of any country as a beneficiary country to receive duty-free treatment together with the considerations entering into such a decision.

ASSESSMENT: (1988) Requires notification to Congress at least 60 days in advance of such termination. No formal termination has occurred. However, on Mar. 11, 1988, the President suspended all trade preferences for Panama under the CBI Act without prior notification to Congress as required.

OPTIONS OR OBSERVATIONS: (1988) Provision retains utility. Congress might remind the Administration of its requirements.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Caribbean Basin Initiative Act PL 98-67, sec. 212(a)(2) 97 Stat. 385 19 U.S.C. 2702(a)(2)	President	Congress	60 days prior		Active

REPORTING REQUIREMENTS

TITLE: U.S. National Interest and the Designation of a Beneficiary Country

REQUIREMENT: Determination that designation of a beneficiary country will be in the national economic or security interest of the United States, if country is otherwise ineligible for such designation.

ASSESSMENT: (1988) No separate determination has been made, inasmuch as the President has not indicated that any CSI country is otherwise ineligible for designation as a beneficiary. The President is responsible for finding that a country is ineligible and for employing the national security loophole.

OPTIONS OR OBSERVATIONS: (1998) Consider retaining as a potentially useful device in case of emergency.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Caribbean Basin Initiative Act PL 99-67, sec. 212(b) 97 Stat. 398 19 U.S.C. 2702(b)	President	Congress	Upon occurrence of event		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: R00101027 CRS PRINTOUT DATE: 28NOV88

TITLE: Restrictions on the Destination of a Beneficiary Country To Receive Duty-Free Treatment

REQUIREMENT: Determination that (1) prompt, adequate, and effective compensation has been or is being made to a citizen, corporation, or association which has been subject to enforced taxes or other taxation, or (2) the maintenance or operational conditions, or other measures with respect to property so owned, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of such property; and (2) good-faith negotiations to provide prompt, adequate, and effective compensation under the applicable provisions of international law are in progress or in arbitration.

ASSESSMENT: (1988) No separate determination on the specific points is made for each of the CBI beneficiary countries. Rather, they are all presumably included in the President's blanket finding (made at the time the countries are designated as CBI beneficiaries) that the countries meet the statutory designation criteria of the CBI Act.

OPTIONS OR OBSERVATIONS: (1988) Congress may wish to consider rewriting the requirement. Its operational requirements are unclear. The President is not required to certify that no outstanding tax or expropriation problems exist respecting the prospective CBI beneficiary country. Therefore, it is unclear when and whether the certification is needed. It is also unclear whether the President is properly complying with the reporting requirement when he makes a blanket finding which encompasses all the issues into one general statement. It does not appear that it meets the basic requirements of the law.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Caribbean Basin Initiative Act of 1987, sec. 212(b)(2) PL Stat. 985 18 U.S.C. 2702(b)(2)(C)(1), (11)	President	Congress	Promptly upon determination		Active

REPORTING REQUIREMENTS

AUTHOR: Sanford

ACCESS NUMBER: R00101029

CRS PRINTOUT DATE: 28NOV88

Food Production Plans Implemented by Beneficiary Countries

REQUIREMENT: Report (for each country exporting beef or sugar) on the operation of the staple food production plans implemented by beneficiary countries that: (1) specifies the extent to which each plan, and remedial actions, if any, have been implemented; and (2) evaluates the results of such implementation.

ASSESSMENT: (1988) The 1988 biennial report is seriously overdue. The 1986 report misses the point. It makes a few general comments about plans and performance in each country for the production of domestic food crops. The bulk of the report focuses, however, on each country's production of sugar and beef and the amount of that production consumed domestically. Congress was more concerned about whether increased production of exported beef and sugar would cut production of domestic food crops and thereby determine the country's nutritional needs. Each country's branch officials say that to do the report correctly, major nutritional surveys and agricultural analyses would be needed. This could be very costly.

OPTIONS OR OBSERVATIONS: (1988) Consideration might be given to dropping the requirement. Current report is not worth staff time invested in it and may be duplicated by AID data.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Caribbean Basin Initiative Act PL 98-67, sec. 213(c)(4) 97 Stat. 390 19 U.S.C. 2703(c)(4)	President (USDA prepares)	Congress	Biennially, by March 15	1986	Active

REPORTING REQUIREMENTS

TITLE: International Trade Commission Annual Report on Economic Impact of CAI

REQUIREMENT: The International Trade Commission (ITC) shall report annually to Congress on the economic impact of the CSI program on U.S. consumers and industries in the prior calendar year.

ASSESSMENT: (1988) This is a very useful report. Congressional staff say it is studied closely and used as a base for considering follow-up CBI legislation.

OPTIONS OR OBSERVATIONS: (1988) Requirement remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Caribbean Basin Initiative Act PL 98-67, sec. 215(a) 97 Stat. 384 19 U.S.C. 2702	International Trade Commission	Congress and President	Before October 1, for previous calendar year	September 1987	Active

REPORTING REQUIREMENTS: AUTHOR: Sanford ACCESS NUMBER: M0001270 CRS PRINTOUT DATE: 28NOV88
 TITLE: Removal of Regional Multilateral Development Bank (MDB) High Officials
 REQUIREMENT: Consultation before undertaking any discussions in the three regional development banks (Inter-American Development Bank (IDB), African Development Bank, Asian Development Bank) regarding the placement or removal of any of their principal officers who are U.S. citizens.

ASSESSMENT: (1988) In 1981, after the removal of the IDB's executive vice president and his replacement by someone named by Treasury, congressional reaction was generally unfavorable. Consequently, Congress enacted legislation requiring prior consultation by the Administration to discuss the replacement or removal of any other regional MDB officials. Executive branch officials say there have been no subsequent discussions about personnel shifts at the regional MDBs. For reasons of permanence, the World Bank was not mentioned in the original House language which gave rise to the legislation. However, the Administration has not indicated whether it will report on the matter. Administration can undertake similar discussions about World Bank officials. There have been reports from time to time that the Administration is seeking to effect key personnel changes at the World Bank. The issues which motivate the enactment of the consultation requirement for the regional MDBs are the same as those for the World Bank.

OPTIONS OR OBSERVATIONS: (1988) Remains of utility to Congress: consider extending to cover World Bank officials as well.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Supplemental Appropriations Act, 1984 PL 98-181, sec. 1006 22 U.S.C. 276e-3	Secretary of the Treasury	S. Comm on Foreign Relations H. Comm on Banking and Finance Chairman ranking minority members of full committees and relevant subcommittees	Prior to the beginning of any such discussions		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001273 CRS PRINTOUT DATE: 28NOV88

TITLE: Inter-American Investment Corporation Activities

REQUIREMENT: Report on U.S. participation in the Inter-American Investment Corporation activities.

ASSESSMENT: (1988) Administration has complied with this requirement, though its report could be more comprehensive. See assessment under PL 79-171, sec. 4(b).

OPTIONS OR OBSERVATIONS: (1988) Retains utility for Congress. Congress may wish to consider consolidating the seven similar requirements as one umbrella requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Continuing Appropriations Act, 1985 PL 98-473, sec. 204 22 U.S.C. 266b	National Advisory Council on International Monetary and Financial Policies	Congress	Annually, to be included in MAC report		Active

REPORTING REQUIREMENTS AUTHOR: Galidi-Tarnoff ACCESS NUMBER: N00001048 CRS PRINTOUT DATE: 28NOV88

TITLE: Emergency Food Assistance Fund

REQUIREMENT: Report on all activities carried out under the authority of the President's Emergency Food Assistance Fund.

ASSESSMENT: (1988) The program authorized by this section, the President's Emergency Food Assistance Fund, has never been funded as a separate entity. The legislation authorized \$50 million for the Fund in FY 1985 and FY 1986, but no authorization has been enacted in subsequent years.

OPTIONS OR OBSERVATIONS: (1988) Consider retaining, if program is funded, otherwise possibly delete reporting requirement along with the (non-operational) authorizing language.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
President's Emergency Food Assistance Act, 1984 PL 98-473, sec. 304	President	Appropriate committees	Annually, by December 31		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001103

AUTHOR: Shuey

REPORTING REQUIREMENTS

FMS Financing History and the Guaranty Reserve Fund

REQUIREMENT: Report setting forth the history of U.S. foreign military sales financing; also to include recommendations on implementing the Guaranty Reserve Fund.

ASSESSMENT:

(1988). The report provided a useful history of FMS financing, discussion of the economic factors affecting the status of the fund, and a statement on the status of the fund. The forecast offered on the position of the fund for the next two years is much more optimistic than the forecast published by GAO in October. This report identified five alternatives for replenishing the Guaranty Reserve Fund but provided very little discussion of the implications of the alternatives. The report recommends that the Defense Department work with the relevant committees to adopt one of the alternatives.

OPTIONS OR

(1988) This report and the GAO report provide a good basis for further congressional study of the issue and alternatives. The requirement has been fulfilled.

LEGISLATION

**International Security and
Development Cooperation Act,**

**DEVELOPMENTAL COOPERATION ACT,
1985**

PL 99-83, sec. 106(a)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Nov. 8, 1985

DATE RECD

Nov. 19, 1985

STATUS

Fulfilled

REPORTING REQUIREMENTS

TITLE: Conventional Arms Transfers Negotiations

REQUIREMENT: Report on steps taken to initiate discussions with the Soviet Union and France aimed at beginning multilateral negotiations to limit and control the transfer of conventional arms to less developed countries.

ASSESSMENT: (1988) This one-time report on conventional arms transfers discussions has been submitted and provided the information requested.

OPTIONS OR OBSERVATIONS: (1988) The requirement has been fulfilled.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 129(b) 22 U.S.C. 2751 note	President 1985	Speaker of the House S. Comm on Foreign Relations (Chairman)	Aug. 8, 1986	Sept. 18, 1986	Fulfilled

REPORTING REQUIREMENTS Jordan Arms Sales AUTHOR: Mark-Day ACCESS NUMBER: N00001110 CRS PRINTOUT DATE: 28NOV88

TITLE: Jordan Arms Sales

REQUIREMENT: Certification of Jordan's public commitment to the recognition of Israel and to negotiate promptly and directly with Israel; to accompany any letter of offer notification submitted under sec. 38(b) for the sale of U.S. advanced aircraft, new air defense systems, or other new advanced military weapons.

ASSESSMENT: (1988) Presidential certification 86-01 accompanied arms sales proposals 86-05A, 86-05B, and 86-08 submitted to Congress on Oct. 21, 1985. An attached justification listed examples of King Husayn's commitment to enter direct negotiations with Israel and recognize Israel's right to exist. The President said in the justification that he believed the King's commitment to negotiate directly with Israel was "indisputable." The President also stated that the King's commitment to recognize Israel and enter direct negotiations was a matter of record. On Feb. 3, 1986, the Secretary of State announced that the arms sale proposal of Oct. 21, 1985, had been postponed indefinitely.

OPTIONS OR OBSERVATIONS: (1988) Report was filed; requirement is out of date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Int. Security and Development Cooperation Act, 1985 PL 98-83, sec. 130(c)	President	Congress	30 days prior to issuance of letter of offer	Oct. 21, 1985	Out of date

REPORTING REQUIREMENTS AUTHOR: Gr Imett-Day ACCESS NUMBER: N00001111 CRS PRINTOUT DATE: 28NOV88

TITLE: Saudi Arabia AMACS Sale

REQUIREMENT: Certification containing agreements with Saudi Arabia regarding conditions governing the transfer of AMACS, and that such conditions have been met.

ASSESSMENT: (1988) This provision, set out in the law in 1985, is consistent with the language President Reagan agreed to on Oct. 28, 1981, before the final Senate vote on the Saudi AMACS sale.

OPTIONS OR OBSERVATIONS: (1988) The Administration has complied with the requirement. Served congressional purpose.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 96-83, sec. 131(b)	President	Congress	Prior to transfer	June 23, 1986	Out of date

REPORTING REQUIREMENTS

TITLE: Saudi Arabia AWACS Sale--Chanos

REQUIREMENT: Notification of any changes being considered by the United States in the arrangements for the transfer of AMACS to Saudi Arabia as described in the 1981 Presidential Communication.

ASSESSMENT: (1988) This report, enacted in 1985, was associated with the Presidential statements about the terms under which he would transfer the AMCS aircraft to Saudi Arabia (terms noted on Oct. 28, 1981). It was a clear-cut requirement that Congress be notified of any changes in those terms. No report was made, and the AMCS have been transferred.

**OPTIONS OR
OBSERVATIONS:** (1968) Served congressional purpose.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD.	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 131(c)	President	Congress	Promptly upon occurrence		Out of date

REPORTING REQUIREMENTS

AUTHOR: Tarnoff

ACCESS NUMBER: N8500114

DATE PRINTED: MAR. 20/1968

Tied Aid Credit Program

TITLE:

REQUIREMENT:

Certification to be made before using for other purposes FY 1968 or FY 1967 ESP funds designated for use under the tied aid credit program, that no acceptable and timely trade credit application is pending in that other country are not engaging in predatory financing practices in order to compete with U.S. exports. Applies to funds not used for the program by the third quarter of the year and to be transferred to other programs.

ASSESSMENT:

(1968) AID did not submit this report because it did not wait for the third quarter to transfer the funds under the authority of this provision, but used the authority of sec. 814, PL 85-106, to transfer the funds. The decision to transfer the funds was reported as Presidential determination 98-7 on Mar. 11, 1968, as required by sec. 814.

OPTIONS OR OBSERVATIONS:

(1968) The authority granted in sec. 814 apparently outweighs the restriction and reporting requirement in sec. 208, PL 86-83. Although this provision is now out of date, H.R. 3100, an updated bill authorizing funds for FY 1968 and 1969, contained identical language. If this provision is meant to be more restrictive, a change in the language of H.R. 3100 or future authorizations is necessary.

LEGISLATION

International Security and Development Cooperation Act, 1950-51, sec. 208

FROM: HSON

AID Administrator

TO: HSON

PRIORITY: Prior to the use of funds for FY 1968 transfer to other purposes

DATE REC'D

STATUS

Out of date

REPORTING REQUIREMENTS

TITLE:	Nuclear Facilities and ESF Funds
REQUIREMENT:	Certification that for a country for which ESF funds will be used to finance the construction of, the operation and maintenance of, or the supplying of fuel for, a nuclear facility, such country is a party to the Non-Proliferation Treaty or the Treaty of Tlatelolco, cooperates with the IAEA, and pursues non-proliferation policies consistent with those of the United States.

ASSESSMENT: (1988) This reflects the desire of Congress to keep pressure on other countries to undertake the non-proliferation commitments of these two treaties, to support the IAEA and to be consistent with U.S. policy.

OPTIONS OR OBSERVATIONS: (1988) Reflects a continuing congressional concern.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD.	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 207	President	Congress	Prior to use of funds		Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: N0001335 CRS PRINTOUT DATE: 28NOV08

TITLE: Immunization and Oral Rehydration

REQUIREMENT: Report describing progress achieved during past year regarding the promotion of immunization and oral rehydration.

ASSESSMENT: (1988) This requirement accompanied the addition of sec. 103(c)(3) to the Foreign Assistance Act in 1985. Section 103(c)(3) calls for the Secretary of State to submit to Congress an annual report on the progress of the United States in the promotion of immunization and oral rehydration programs. The reports must contain information and provide extensive information and good briefing material; its glossy format and pictures are unusual and apparently adopted for public relations impact. The third report, entitled "A Third Report to Congress on the USAID Program," came out in March 1988. According to AID, the estimated cost of preparing this document is \$69,600 and takes 952 work hours.

OPTIONS OR OBSERVATIONS: (1988) Consider whether requirement should be met with a few pages in the annual report or presentation material, or whether public relations value justifies individual document. AID also made this suggestion.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 305(b) 22 U.S.C. 2151b note	AID Administrator	Congress	Annually, as part of USAID Foreign Assistance Report	March 1988; 1987 March-Apr. 1987	Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: N00001117 CRS PRINTOUT DATE: 28NOV88

TITLE: Nongovernmental Organizations and Development Aid

REQUIREMENT: Results of study on the additional ways to provide development assistance through nongovernmental organizations.

ASSESSMENT: (1988) This requirement, added in 1985, reflects continuing congressional interest in the role of private and voluntary organizations (PVOs) in the implementation of U.S. development assistance. For some lawmakers active in the oversight of foreign aid programs, the participation of PVOs in American aid projects has been a priority issue.

OPTIONS OR OBSERVATIONS: (1988) Report submitted.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985 PL 99-85, sec. 311(b)	AID Administrator	Congress	Sept. 30, 1988	Oct. 30, 1988	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Browne-McIntosh ACCESS NUMBER: N00001119 CRS PRINTOUT DATE: 28NOV98

TITLE: Coordination of All U.S. Terrorism-Related Assistance to Foreign Countries

REQUIREMENT: An accounting of all assistance related to international terrorism provided to foreign countries by the United States during the preceding year.

ASSESSMENT: (1988) The report as submitted does not appear to fulfill the requirement as stated in the legislation which stipulated a comprehensive report including assistance provided by all agencies of the Government. The report as submitted has been a duplication of the ATA report from the Department of State.

OPTIONS OR OBSERVATIONS: (1988) This requirement, added in August 1985, remains useful. However, after congressional review of the content of the reports actually submitted in response to the requirement, the reporting agency might be reminded of the specific requirement.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 98-83, sec. 502(b)	Secretary of State, in consultation w/ other agencies	Appropriate committees	Annually, by Feb. 1	Mar. 8, 1988	Active

REPORTING REQUIREMENTS AUTHOR: Brorne-Wooten ACCESS NUMBER: N0001253 CMS PRINTOUT DATE: 28NOV88

TITLE:

Consultation Before Banning Imports From Countries Supporting Terrorism

REQUIREMENT: Consultation, in every possible instance, before banning imports of goods or services from any country that supports terrorism or terrorist organizations; regular consultation when authority is being used.

ASSESSMENT: (1988) This is not a required report. The legislation is worded to encourage consultation with Congress by the executive branch.

OPTIONS OR OBSERVATIONS: (1988) Congress may want to change the wording of the legislation to require written communication from the Administration prior to making the decision to ban imports under this section.

LEGISLATION

International Security and
Development Cooperation Act,
1985
PL 99-83, sec. 505(b)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Before and while
exercising
authority

DATE RECD

STATUS

Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: W00001120

AUTHOR: Broome-Hootten

REPORTING REQUIREMENTS

Ban on Imports from Countries that are Supporting Terrorism

TITLE:

REQUIREMENT: Report specifying the country from which the President is banning imports into the U.S. due to such countries' support of terrorism or terrorist organizations. Report to include reports to be banned, circumstances and reasons for the ban. Subsequent reports stating actions taken pursuant to this authority and any changes in the situation.

ASSESSMENT:

(1988) This is a useful requirement in view of widespread concern among Members of Congress. However, the reporting has been inconsistent under this section. Only two reports have been submitted under this section: one applying to Iran in October 1987, and a second applying to Libya in January 1988. There had been many earlier instances of imposing bans that were apparently not reported under this section.

OPTIONS OR OBSERVATIONS:

(1988) Full reporting by the Administration under this section might allay the concerns of many Members of Congress that the President has been inconsistent in the application of his authority under this section. The Administration argues that it must have reasonable flexibility in shaping its response to countries that are accused of supporting international terrorism. This report is intended to elicit the rationale for taking a specific course and why certain prohibitions were selected.

LEGISLATION

International Security and Development Cooperation Act, 1985
PL 99-83, sec. 505(c)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Upon occurrence and every succeeding 6 months

DATE RECD

Oct. 29, 1987
(Iran); July 13, 1987

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Waiver of Suspension of Foreign Aid to Country With Inadequate Airport Security

REQUIREMENT: Determination and report that national security interests or that a humanitarian emergency requires waiving of the requirement that the President suspend all assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act to any country in which is located an airport where the Secretary of Transportation has determined that effective security measures are not maintained and administered. The sanction would only be applied if the Secretary of State determined that the country is a high terrorist threat country.

ASSESSMENT: (1988) This reporting requirement has not been used.

OPTIONS OR OBSERVATIONS: (1988) Requirement remains potentially useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985	President	Congress	Upon occurrence		Active
PL 99-83, sec. 552(b)					

REPORTING REQUIREMENTS AUTHOR: Browne-Mootton ACCESS NUMBER: H00001122 CDS PRINTOUT DATE: 28NOV98

TITLE: Inadequate Airport Security--Lifting of Sanctions

REQUIREMENT: Notice that any sanction imposed due to a country's inadequate airport security measures has been lifted.

ASSESSMENT: (1988) This is a worthwhile report; sanctions imposed under this section are in large part a suspension of foreign assistance legislated by Congress and Congress should be made aware of any changes.

OPTIONS OR (1988) Requirement remains useful.
OBSERVATIONS:

LEGISLATION	FROM WORK	TO WORK	EMERGENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1986 PL 99-83, sec. 982(d)		Congress	Upon occurrence		Active

REPORTING REQUIREMENTS AUTHOR: Brome-Wootton ACCESS NUMBER: N00001123 CRS PRINTOUT DATE: 28NOV88

TITLE: Expansion of the Air Marshal Program

REQUIREMENT: Report on the results of a study of the need for an expanded air marshal program on international flights of U.S. air carriers.

ASSESSMENT: (1988) This one-time report was submitted May 13, 1987, and apparently satisfied the requirement.

OPTIONS OR
OBSERVATIONS: (1988) Requirement fulfilled.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ.	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 553(a)	Secretary of Transportation, in coordination w/ Secretary of State	Congress	One-time report, due Feb. 8, 1988	May 13, 1987	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Per-1 ACCESS NUMBER: M00001126 CRS PRINTOUT DATE: 28NOV88

TITLE: Missions To Defend Aircraft Involved In Narcotics Control Efforts

REQUIREMENT: Notification on the use of 1986-87 funds to procure defensive weapons to arm aircraft used in narcotics control eradication or interdiction efforts.

ASSESSMENT: (1988) This is a notification requirement which is contingent upon executive branch use of funds for specified purposes. The law does not specify who is responsible for submitting this notification, but it has been submitted by the Defense Security Assistance Agency.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement applied only to FY 1986 and FY 1987. A similar provision would have been enacted in the foreign aid authorization for FY 1988-89 (H.R. 3100)--Congress did not pass this bill.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE RECD	STATUS
Int. Security and Development Cooperation Act, 1985 PL 98-83, sec. 607		H. Com on Foreign Affairs S. Com on Foreign Relations	15 days in advance	Sept. 15, 1987 (Colombia)	Out of date

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: M00001126 CRS PRINTOUT DATE: 28NOV88

TITLE: Bolivia Aid and Narcotics Control

REQUIREMENT: During FY 1987, certification that Bolivia has engaged in narcotics interdiction operations which have significantly reduced the illicit cocaine industry in Bolivia and that the United States in such certification, (permits disbursement of 50 percent U.S. security aid) and certification that Bolivia has achieved the eradication targets for 1986 in its 1983 narcotics agreement with the United States or has entered agreement of cooperation with the United States for implementing that plan for 1987 and beyond and is making progress toward the plans objectives (permits disbursement of balance).

ASSESSMENT: (1988) This requirement set up certain narcotics control milestones which Bolivia needed to achieve during FY 1986 and 1987 in order to obtain U.S. security aid. Some felt that the requirement was not necessary as the Government of Bolivia makes whatever progress it chooses with or without the assistance and that the presence of such an aid requirement gives the United States no leverage over Bolivia. Others felt that the requirement was necessary and that the United States should continue to give aid to certain countries set up arbitrary requirements and do not provide a clear, consistent coordinated overall U.S. policy. In contrast many feel that such a requirement is essential to continue aid programs to Bolivia, and if Congress is to continue aid conditioned on progress, it needs this mechanism to monitor such progress. The original requirement was amended by the International Narcotics Act of 1986, PL 99-570, sec. 2011.

OPTIONS OR OBSERVATIONS: (1986) This reporting requirement had legislative relevance.

LEGISLATION	FROM WHOM	TO WHOM	EMERGENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985, PL 98-83, sec. 611	President	Congress	Upon occurrence in FY86, FY87	Jan. 27, 1987; Jan. 22, 1987; Jan. 8, 1987; Jan. 8, 1986	Out of date

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: N00001127 CRS PRINTOUT DATE: 28NOV88

TITLE: Peru Aid and Narcotics Control

REQUIREMENT: During FY 1986, certification that Peru has demonstrated substantial progress in developing a plan regarding the licensing of legalized coca cultivation during FY 1987. Certification that Peru has developed such a plan and is implementing it. Such certification must be based on the report of the United States Drug Abuse Control Commission. It has been determined that the project was effective in achieving its goals.

ASSESSMENT: (1988) This amendment specifies the requirement Peru must satisfy in order to receive aid for FYs 1986 and 1987. As is the case with certification requirements with Bolivia, some feel that the requirement deprives the executive branch of the flexibility it needs to negotiate effectively with Peru at a time when a government there may already be committed to doing its best to combat the problems it faces.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement had legislative relevance. If it enacts future legislation of this type, Congress should consider putting delay of sanctions if the Secretary of State certifies to the satisfaction of Congress that such governments are doing all they reasonably can do but still fall short of certification.

LEGISLATION

International Security and Development Cooperation Act, 1985

PL 98-63, sec. 612(a)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Prior to providing aid in FY86, 87

DATE REC'D

Mar. 17, 1987;
May 30, 1986

STATUS

Out of date

REPORTING REQUIREMENTS AUTHOR: Per-1 ACCESS NUMBER: N00001129 CRS PRINTOUT DATE: 28NOV88

TITLE: Latin American Regional Narcotics Control Organization

REQUIREMENT: Report on the advisability of encouraging the establishment of a Latin American Regional Narcotics Control Organization.

ASSESSMENT: (1988) This one-time report was due in February 1986. It was responsive to the requirement.

OPTIONS OR
OBSERVATIONS: (1988) This reporting requirement has served its congressional purpose.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 98-83, sec. 615(b)	Secretary of State, w/ National Drug Enforcement Policy Board (Department of Justice)	H. Comm on Foreign Affairs S. Comm on Foreign Relations H. Comm on the Judiciary S. Comm on the Judiciary	Feb. 8, 1986	July 30, 1986	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: W00001128 CRS PRINTOUT DATE: 28NOV88

TITLE: Narcotics Control and the Role of DOD

REQUIREMENT: Report on why the U.S. Armed Forces should not exert greater effort on facilitating and supporting interception of narcotics traffickers, and in gathering intelligence outside the United States.

ASSESSMENT: (1988) This is a one-time report. Input for the report was given by DOD and then cleared by the Department of State, after which it was sent to the National Drug Enforcement Agency Policy Board. A courtesy copy was sent to the Armed Services Committees. This information was included in the semi-annual report which the Attorney General prepares for Congress pursuant to the Comprehensive Crime Control Act, PL 98-473, title II.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement has served its congressional purpose.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 616	President	Congress	Oct. 8, 1985	Dec. 4, 1985	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Storrs-Day ACCESS NUMBER: N0001133 CRS PRINTOUT DATE: 28NOV88

TITLE: El Salvador Assistance, FY 1986-87

REQUIREMENT: Report on the extent to which the El Salvador government (1) is willing to pursue a dialogue with the armed opposition, (2) is in control of the military and security forces to insure compliance with international law and Presidential directives on protection of civilians in combat operations, (3) is making demonstrated progress in ending the activities of the death squads, (4) is making demonstrated progress in establishing an effective judicial system, and (5) is making demonstrated progress in implementing a land reform program.

ASSESSMENT: (1988) The reports contained useful information on the extent to which congressionally-mandated objectives were being met in El Salvador, although the level of aid to the country was not contingent upon achieving the objectives. These reports were the main mechanism by which the executive reported to Congress on the overall political-military-human rights conditions in the country. They were similar to various certifications, determinations, and reports on El Salvador that Congress has required since 1981. This requirement applied only to FY 1986-87, and is therefore out of date. However, a similar report is currently required in the FY 1989 Foreign Assistance Appropriations Act (sec. 556(a)).

OPTIONS OR OBSERVATIONS: (1988) Appeared to serve congressional purpose, while similar to worldwide human rights reports. These reports included information not generally in those reports (e.g., land reform and negotiations) and require reported progress in items (3), (4), and (5), above, during each 6-month period.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 702(c)	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	Oct. 1, 1985 Apr. 1, 1986 1, 1986, Apr. 1, 1987	Apr. 2, 1986; Oct. 2, 1985	Out of date

REPORTING REQUIREMENTS AUTHOR: Storrs-Day ACCESS NUMBER: H00001194 CDS PRINTOUT DATE: 28NOV88

TITLE: Aircraft Transfer to El Salvador

REQUIREMENT: Notification that aircraft for aerial warfare will be made available to El Salvador (expiries Oct. 1, 1987).

ASSESSMENT:

(1988) This requirement reflected Congress' concern that additional use of rapid-fire helicopters and aircraft might result in increased civilian casualties in the country. Another reflection of this concern was the requirement in the general El Salvador human rights provision (sec. 502) that the semiannual reports indicate the extent of civilian deaths and injuries caused by military operations. The provision also required that U.S. forces, and those forces will comply with applicable rules of international law and with Presidential directives pertaining to the protection of civilians during combat operations, including Presidential directive C-111-03-984 (relating to aerial fire support).^a A similar notification is required in the Foreign Assistance Appropriations, 1989 (PL 100-461, sec. 533(a)(b)), concerning U.S. and foreign aircraft exports to Central America.

OPTIONS OR OBSERVATIONS:

(1988) Provision permitted Congress to monitor the flow of military aircraft to El Salvador.

LEGISLATION

International Security and
Development Cooperation Act,
PL 99-83, sec. 702(d)

FROM WHOM

Administration

TO WHOM

H. Com on Foreign
Affairs on Foreign
Relations

FREQUENCY

15 days in
advance

DATE RECD

Feb. 26, 1988;
Nov. 8, 1988;
Aug. 9, 1988

STATUS

Out of
date

REPORTING REQUIREMENTS AUTHOR: Harper-Day ACCESS NUMBER: H00001195 CDS PRINTOUT DATE: 28NOV88

TITLE: Guatemala Military Assistance, FY 1986-87

REQUIREMENT: Certification that for FY 1986, an elected government is in power in Guatemala and has requested U.S. military aid; and that for FY 1986 and 1987, Guatemala has made demonstrated progress (1) in achieving control over its military, (2) toward eliminating human rights abuses, and (3) in respecting the human rights of its indigenous Indian population.

ASSESSMENT: (1988) The primary purpose of the certification was to set conditions on U.S. military aid and encourage respect for democracy and human rights in Guatemala. Although the requirement applied only to FY 1986-87 funds, continuing congressional concern on events in Guatemala is evident by inclusion in H.R. 700, sec. 703(b), of a report by October 1, 1988, on the continuing concern of Congress that the Government of Guatemala is responsible for human rights violations against civilians. Furthermore, sec. 703(a) prohibits furnishing weapons or ammunition.

OPTIONS OR OBSERVATIONS: (1988) Continuing congressional interest might be served by requiring certification in annual human rights report. This report, however, concerns funds for FY 1986-87 and is out of date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985 PL 99-63, sec. 703(a)	President	Congress	Prior to providing military aid in FY86-87	Dec. 8, 1986; June 11, 1986	Out of date

REPORTING REQUIREMENTS

ACCESS NUMBER: N00001138

AUTHOR: Harper-Bay

CRS PRINTOUT DATE: 28NOV88

TITLE: Latin American and Caribbean Assistance, FY 1986-87

REQUIREMENT: Full accounting of all assistance provided in FY 1986 and 1987 for Latin America and the Caribbean.

ASSESSMENT:

[1988] This requirement is an effort to have increased data on aid to Latin America and the Caribbean included in the annual Congressional Presentation. The relevant congressional offices negotiated with the executive branch on the information to be included and emphasized that they were not seeking a new report but expanded Congressional Presentation information. An expanded Congressional Presentation (CP) on Latin American and Caribbean countries was initiated in the FY 1987 CP, providing supplemental information on aid to individual countries for FY 1985. The CPs for FY 1988 and FY 1989 also contain supplemental information on aid to individual countries respectively. The expanded presentation, for the appropriate fiscal year, provides country-by-country information on the following: the total amount of aid; the types of goods associated with ESF cash transfers; the allocation of local currencies; recapitalizing of funds; and a comparison of funds and programs provided through non-governmental versus governmental control.

OPTIONS OR
OBSERVATIONS: (1988) Requirement was fulfilled.

LEGISLATION

International Security and
Development Cooperation Act,
1980
PL 96-43, sec. 700(a)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Annually, as
part of the
Foreign Assistance
Act, 1981, sec.
604 report

DATE REC'D

Feb. 1988

STATUS

Out of
date

REPORTING REQUIREMENTS AUTHOR: Harper-Day ACCESS NUMBER: N0001136 CRS PRINTOUT DATE: 28NOV88

TITLE: Latin American and Caribbean Assistance, FY 1986-87

REQUIREMENT: Full accounting of all assistance provided in FY 1986 and 1987 for Latin America and the Caribbean.

ASSESSMENT:

(1988) This requirement is an effort to have increased data on aid to Latin America and the Caribbean included in the annual Congressional presentation. The relevant congressional offices negotiated with the executive branch on the information to be included and emphasized that they were not seeking a new report but expanded Congressional Presentation Information. An expanded Congressional Presentation (CP) on Latin American and Caribbean countries was initiated in the FY 1987 CP, providing supplemental information on aid to individual countries for FY 1985. The CPs for FY 1988 and FY 1989 also contain supplemental information for FY 1986 and FY 1987 respectively. The expanded presentation, for the appropriate fiscal year, provides country-by-country information on: the areas in which AID is conducting specialized training; the types of goods associated with ESF cash transfers; the allocation of local currency; reprogramming of funds; and a comparison of funds and programs provided through non-governmental versus governmental control.

OPTIONS OR OBSERVATIONS:

(1988) Requirement was fulfilled.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 98-83, sec. 708(a)	President	Congress	Annually, as part of the Foreign Assistance Act, 1961, sec. 634 report	Feb. 1986	Out of date

REPORTING REQUIREMENTS

AUTHOR: Harper-Day

ACCESS NUMBER: N00001142

CRS PRINTOUT DATE: 28NOV88

TITLE: Mexico and International Commerce

REQUIREMENT: Report on the status of negotiations with the Government of Mexico to eliminate or reduce the impediments to international trade.

ASSESSMENT: (1988) The final report, submitted on Jan. 20, 1987, stated that the Mexican government had declined a request by the State Department to negotiate the impediments to inter-American trade through Mexico bound on by the United States. The report also stated that the Mexican government had declined to negotiate with the United States, who also declined to raise the issue with the Government of Mexico. The report concluded that the matter would be pursued at U.S.-Mexico bilateral trade talks and at a multilateral commercial forum.

OPTIONS OR OBSERVATIONS: (1988) One-time report submitted.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 98-83, sec. 717(c)	Secretary of State	Congress	Jan. 1, 1986	Jan. 20, 1987; Jan. 22, 1986 (interim report)	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Serafino-Day ACCESS NUMBER: N00001145 CRS PRINTOUT DATE: 28NOV88

TITLE: Central American Peace Process--Additional Aid

REQUIREMENT: If the President wishes additional aid for furthering peace processes in Central America, he must accompany such a request to Congress for such aid with a report on the progress made to date to resolve conflict in the region, based on a determination that negotiations based on the Contadora Document of Objectives have produced an agreement or show promise of producing an agreement, or that trade or some other economic measures will assist in the resolution of the Central American conflict or the stabilization of the region. Congress will consider the request under a rule for expedited procedures provided for in the legislation.

ASSESSMENT: (1988) No reports were submitted. Similar requirement was contained in Supplemental Appropriations Act, 1985, PL 99-85, sec. 105.

OPTIONS OR OBSERVATIONS: (1988) Requirement is out of date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 722(k)	President	Congress	Upon determination		Out of date

REPORTING REQUIREMENTS AUTHOR: Coillier-Day ACCESS NUMBER: M00001147 CRS PRINTOUT DATE: 28NOV88

TITLE: Regional Programs in Africa

REQUIREMENT: Results of studies evaluating aid provided to Southern Africa Development Coordination Conference (SADCC) and other African regional institutions, and ways to improve such aid; also to assess what type of bureaucratic mechanism within AID might be established to coordinate aid to all African regional institutions.

ASSESSMENT: (1988) The report provides a description of AID assistance to the SADCC and other African regional organizations and AID's organization for providing that assistance. The report does not offer any suggestions for improving the present program and organization stating that AID "as a matter of course" undertakes a range of activities to ensure that aid to SADCC and other regional organizations is provided effectively. AID considers it takes a "pragmatic approach...which has served well in the past, and, we believe, will continue to serve well in the future."

OPTIONS OR OBSERVATIONS: (1988) Consider content of report and determine advisability of changes in authorization for SADCC in sec. 802(a) of PL 99-83, or in policy to promote regional cooperation in Africa; or repeal requirement because report has been submitted.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 802(b)	AID Administrator	Congress	Nov. 8, 1985	Jan. 8, 1986	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Collier-Day ACCESS NUMBER: N00001149 CRS PRINTOUT DATE: 28NOV88

TITLE: Mozambique Assistance--FY 1986-87

REQUIREMENT: Certification that Government of Mozambique (A) is making a concerted and significant effort to comply with international recognized human rights; (B) is progressing in economic and political reforms including restoration of private property and respect for right to engage in free enterprise; (C) has implemented plan by Sept. 30, 1986 to reduce number of foreign military personnel to no more than 15; and (D) has initiated discussions with all major political factions in Mozambique which have declared willingness to find solutions involving (i) a commitment to the electoral process with internationally recognized observers and (ii) elimination of all restrictions on opposition political parties; and (ii) for assistance in FY 1987, has held free elections by Sept. 30, 1986.

ASSESSMENT: (1988) The determinations required for military assistance in FYs 1986 and 1987 reinforced congressional policy that military assistance is conditional upon the holding of free elections in Mozambique. Since no elections were held, the provision had the effect of blocking military assistance under the so-called requirement for certifying eligibility for military assistance. (1) On that basis, the President's FY 1989 Request for Military Assistance, Feb. 11, 1985, that the furnishing of defense articles and defense services to the Government of Mozambique will strengthen the security of the United States and promote world peace." (PD 85-7).

OPTIONS OR OBSERVATIONS: (1988) Certification was never submitted. Subsequent legislation, including the FY 1989 Foreign Aid Appropriations, prohibit military aid to Mozambique. Thus, reenactment of this requirement now would not be relevant.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1985 PL 96-83, sec. 813(b)	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	Prior to providing military assistance for FY 86-87		Out of date

REPORTING REQUIREMENTS AUTHOR: NIKSCH-DAV ACCESS NUMBER: N00001151 CRS PRINTOUT DATE: 28NOV88

TITLE: AMERICAN CHILDREN IN ASIA

REQUIREMENT: Report on life of American children residing in Asian countries and additional steps, such as facilitating adoptions, that the United States could take to enhance the lives of these children.

ASSESSMENT:

(1988) The requirement was adopted with little debate on the initiative of a Member of the House Foreign Affairs Committee during the Committee's markup of the Foreign Assistance Authorization Bill. Congress previously addressed this issue by legislating more liberal visa preferences (PL 97-359). Depending on how this requirement is interpreted, it could put a real burden on the staff of the U.S. diplomatic posts in Thailand, Korea, and the Philippines, where there are tens of thousands of Amer-Asian children dating back to the 1950s. Moreover, the lack of a specified reporting date makes the requirement likely to be ignored.

OPTIONS OR OBSERVATIONS:

(1988) A more recently enacted report--sec. 584(d) of the FY 1988 Foreign Aid Appropriations, PL 100-202, sec. 101(b), covers much of the information required in this provision. Consider repealing this report.

LEGISLATION

International Security and Development Cooperation Act, 1982

PL 99-83, sec 803(p)

FROM: NSC
President

TO: NSC
Congress

FREQUENCY
Not specified

DATE REC'D

STATUS
Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N00001151

AUTHOR: Niksch-Day

REPORTING REQUIREMENTS

TITLE: Amerasian Children in Asia

REQUIREMENT: Report on life of Amerasian children residing in Asian countries and additional steps, such as facilitating adoptions, that the United States could take to enhance the lives of these children.

ASSESSMENT:

(1988) The requirement was adopted with little debate on the initiative of a Member of the House Foreign Affairs Committee during the Committee markup of the Foreign Assistance Authorization Bill. Congress had previously addressed this issue by legislating more liberal visa preferences (PL 97-359). Depending on how this requirement is interpreted, it could put a real burden on the staff of the U.S. diplomatic posts in Thailand, Korea, and the Philippines, where there are tens of thousands of Amer-Asian children dating back to the 1950s. Moreover, the lack of a specified reporting date makes the requirement likely to be ignored.

OPTIONS OR

OBSERVATIONS: (1988) A more recently enacted report--sec. 584(d) of the FY 1988 Foreign Aid Appropriations, PL 100-202, sec. 101(e)--covers much of the information required in this provision. Consider repealing this report.

LEGISLATION

International Security and
Development Cooperation Act,
1985

PL 98-83, sec. 903(b)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Not specified

DATE REC'D

STATUS

Active

REPORTING REQUIREMENTS AUTHOR: Galdi-Tarnoff ACCESS NUMBER: N00001152 CRS PRINTOUT DATE: 28NOV88

TITLE: Long-Term Agricultural Commodity Agreements with Food Deficit Countries

REQUIREMENT: Report on efforts to achieve long-term agricultural commodity agreements to help stabilize and increase the flow of concessional and commercial food stuffs with food deficit countries.

ASSESSMENT: (1988) This report was due June 1986. We have not been able to ascertain whether the report was completed and sent to the appropriate committees.

OPTIONS OR OBSERVATIONS: (1988) Consider repeal unless interest on the subject remains.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 1008	President	Congress	June 1, 1986		Active

REPORTING REQUIREMENTS AUTHOR: Mark-Day ACCESS NUMBER: H00001157 CRS PRINTOUT DATE: 28NOV88

TITLE: Annual Reports on Economic Conditions in Egypt, Israel, Turkey, and Portugal

REQUIREMENT: Report regarding economic conditions in Egypt, Israel, Turkey, and Portugal which may affect their ability to meet their international debt obligations and to stabilize their economies.

ASSESSMENT: (1988) Congress has requested similar annual reports on Egypt and Israel since 1979 and on Egypt and Portugal since 1980. Staff and outside organizations have been asked to prepare reports on the economic conditions and trends of these countries, including a brief assessment of the economic conditions and a background and reference sources during the consideration of foreign assistance authorization and appropriations legislation. AID views the reports on Egypt and Israel to "have substantial utility" given the size of U.S. programs and economic trends in these countries. The reports on Turkey and Portugal, however, are considered to be too time consuming; AID recommends these be deleted. Total costs for the four reports were estimated by AID to be \$37,400 and 761 work hours.

OPTIONS OR OBSERVATIONS: (1988) Reports appear to be useful. The unamended International Security and Development Cooperation Act of 1987 (H.R. 5100), sec. 1206, sought to amend the reporting requirements to require the information required by the act to be submitted to the U.S. State Department. The act also sought to amend the act to require the country is taking to improve economic conditions, including policy reforms implemented during the previous fiscal year, and proposed U.S. plans to improve economic conditions.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
International Security and Development Cooperation Act, 1985 PL 99-83, sec. 1206 22 U.S.C. 2346 note	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	Annually, by Jan. 15	Mar. 28, 1988 (Egypt); Feb. 18, 1988 (Portugal); Feb. 18, 1987 (Portugal) and (Turkey); Feb. 10, 1987 (Turkey); Feb. 4, 1987 (Israel); Feb. 18, 1986	Active

REPORTING REQUIREMENTS: AUTHOR: AMTOTT
 TITLE: U.S. AID STAFF TO COAL-EXPORTING NATIONS
 REQUIREMENT: Report describing status and terms of, and all other pertinent information relating to, any U.S. assistance to foreign nations that provide coal for the purpose of financing or assisting in development of coal production, transportation, export, or other coal-related activities
 ASSESSMENT: (1988) AID submitted a report to Congress in November 1985 in response to this requirement.

OPTIONS OR OBSERVATIONS: (1988) This provision may be considered executed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Security and Development Cooperation Act, 1981, PL 96-83, sec. 1210	President	Appropriate committees	Sept. 8, 1985	Nov. 14, 1985	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001340 CRS PRINTOUT DATE: 28NOV88

TITLE: FARMER-TO-FARMER PROGRAM PLANS

REQUIREMENT: Report indicating manner in which AID intends to implement provisions of Paragraphs (1) and (2) of sec. 406(a) of the Agriculture Trade Development and Assistance Act of 1964 relating to farmer-to-farmer assistance.

ASSESSMENT: (1988) The report gives a brief but thorough account of the farmer-to-farmer pilot project and plans to implement the post-pilot program in FYs 1986 and 1987. The program is administered by the Bureau for Food for Peace in AID.

OPTIONS OR OBSERVATIONS: (1988) This requirement has been fulfilled.

LEGISLATION

Food Security Act, 1985
P.L. 98-198, sec. 1107(b)
2 U.S.C. 2220a-6

FROM WHOM

AID
Administrator,
with Secretary of
Agriculture

TO WHOM

Congress

FREQUENCY

Apr. 23, 1986

DATE REC'D

June 25, 1986

STATUS

Fulfilled

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001347

AUTHOR: Tarnoff

REPORTING REQUIREMENTS

TITLE: Agreements and Progress Under Food for Progress Act

REQUIREMENT: Status of agreement made under Food for Progress Act and progress being made to carry out private enterprise agricultural policies for long-term agricultural development in country.

ASSESSMENT: (1988) The AID Congressional Presentation contains information responding to this requirement, although it is difficult to know if it is responding fully as the presentation design is anecdotal rather than a formal listing of projects with agreement dates and costs. According to AID, it took 85 hours and cost \$3,400 to fulfill this requirement in FY 1988. As there have been agreements with only a few countries and internal evaluations are conducted for programing purposes, AID reports that it does not find this requirement to be onerous. No indication is provided in the section on Food for Progress in the CP to show it is fulfilling a reporting requirement.

OPTIONS OR OBSERVATIONS: (1988) This information could be provided in the annual PL 480 report or, if left in the annual AID presentation document, a citation to the reporting requirement might be helpful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Food for Progress Act, 1985 PL 99-198, Sec. 1110(j) 7 U.S.C. 1731	President	House of Representatives S. Com. on Agriculture	Within 90 days after end of fiscal year when agreement concluded	February 1988	Active

REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: N0001346 CRS PRINTOUT DATE: 28NOV88

TITLE: Immunization Activities

REQUIREMENT: Information on immunization activities including coordination with other organizations and national plans and estimated number of immunizations provided each year under section.

ASSESSMENT: (1988) According to AID, data were collected in both FY 1987 and 1988 in response to this requirement and a report was prepared. Inadvertently, it was not transmitted to Congress—but will now be forwarded by AID.

OPTIONS OR OBSERVATIONS: (1988) This requirement was contained in a law dealing with agriculture and PL 480, but required in an annual report on foreign aid. This appears to have contributed to the confusion over submission of the report. Suggest that it be made part of the annual report to Congress on child survival activities under PL 98-63, sec. 306(d).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Food Security Act, 1985 PL 98-181, sec. 1112(b) 22 U.S.C. 2384	President	Congress	Include in annual report under sec. 634 of Foreign Assistance Act, 1961.		Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001346 CRS PRINTOUT DATE: 28NOV88

TITLE: Global Analysis of World Food Needs and Target Countries

REQUIREMENT: (A) Global analysis of world food needs and production; (B) identification of at least 15 target countries likely to emerge as potential markets for agricultural commodities; and (C) detailed plan for using and increasing agricultural exports to targeted countries.

ASSESSMENT: (1988) The PL 480, sec. 408(b) Global Assessment Report requirement calls for the same analysis as does this requirement. While this report provides a description of the export promotion system and recommendations of what can be done over the next 5-10 years to increase exports to targeted countries, there is no detailed plan as required.

OPTIONS OR OBSERVATIONS: (1988) Consider repeal of requirement (A) as this is already provided by sec. 408(b) of PL 480. Requirements (B) and (C) can be either repealed or updated periodically---there is no apparent need for an annual report.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Food Security Act, 1985 PL 99-198, sec 1113(a)(9) 7 U.S.C. 1726-1	Special Assistant to President for Agricultural Trade and Food Aid	Congress	Each year through 1990	Sept. 25, 1987	Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001500 CRS PRINTOUT DATE: 28NOV88

TITLE: Agricultural Trade Consultations

REQUIREMENT: Report on progress of efforts to initiate and pursue consultations with representatives of other major agriculture-producing countries and any agreements reached with respect to objectives to increase exchange of information on worldwide agricultural production, demand, and commodity supply levels, determine a more equitable sharing of responsibility to maintain agricultural commodity reserves, and increase cooperation in restraining export subsidy programs.

ASSESSMENT: (1988) This report reviews all consultations, regardless of substance.

OPTIONS OR OBSERVATIONS: (1988) Report appears to be useful and might be considered for retention after present expiration date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Food Security Act, 1985 PL 99-196, sec. 1123	Secretary of Agriculture	Congress	July 1, 1986, annually thereafter until FY 1990	July 14, 1987; July 18, 1986	Active

REPORTING REQUIREMENTS

TITLE: Operating Expenses of the AID Inspector General

REQUIREMENT: Report any denial by Secretary of State of a request by the Inspector General to increase or reduce an existing position level of a regional office (added by PL 100-202, sec. 101(e), title II).

ASSESSMENT: (1988) No denial has been made by the Secretary of State since passage of this requirement.

REMARKS: (1988) Remains useful as a means to monitor activities of AID Inspector General.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Comibus Diplomatic Security and Anti-Terrorism Act, 1986 PL 99-399, sec. 103(b)	Inspector General, Agency for International Development	Congress	Within 30 days of denial		Active/App

REPORTING REQUIREMENTS

TITLE: Conditions of Military Assistance to Haiti--FY 1987

REQUIREMENT:

Certification that the Government of Haiti has 1) submitted a formal request specifying a comprehensive plan for the reform and reorganization of the mission, command, and control structures of the armed forces consistent with a transition to democracy, the rule of law, and a constitutionally elected government, including a public declaration by the armed forces to respect internationally accepted human rights standards and codes of conduct; 2) made progress on preventing human rights abuses and corruption by the armed forces, and instigated legal prosecution of those responsible for human rights abuses and corruption; 3) conducted investigations and legal prosecution of those responsible for the deaths of unarmed civilians; 4) provided education and training for the armed forces on internationally accepted human, civil, and political rights; and 5) taken steps to disarm the VSN.

ASSESSMENT: (1988) Certification requirements reflect Congress' insistence that U.S. security assistance encourage and support critical reforms, particularly where the Haitian armed forces are concerned. The certification submitted to Congress in compliance with this reporting requirement stated that U.S. security assistance would "improve the professionalism of the armed forces as they maintained order. In the subsequent report required by sec. 203(c), it was stated that Haitian military personnel had been involved in the numerous deaths of civilians. The reports make note of mixed progress by the Government of Haiti on all areas for certification.

OPTIONS OR OBSERVATIONS: (1988) This report concerns funds for FY 1987 and therefore is out of date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Special Foreign Assistance Act, 1988 PL 99-529, sec. 203(b)	President	Congress	Prior to assistance	Mar. 26, 1987	Out of date

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: N0001469 CRS PRINTOUT DATE: 28NOV88

TITLE: Consistency of Haitian Government Actions With Objectives

REQUIREMENT: Following certification required in sec. 203(b), the President must submit a report every three months on the extent to which the actions of the Government of Haiti are consistently implementing reforms in the armed forces, outlined in sec. 203(b). Half of the military aid will be withheld until the first report under sec. 203(c) is submitted.

ASSESSMENT: (1988) Between the time of the certification in March 1987 and the first report required under sec. 203(c), unrest, demonstrations, general strikes, and numerous deaths of civilians occurred, as reported in the executive branch's submission. The submitted report was comprehensive in its coverage and reasoning for full disbursement of authorized funds. This was the last report submitted, due to a cut-off in aid following numerous deaths and disruption during the election in November 1987, precluding the necessity for a December submission under sec. 203(c).

OPTIONS OR OBSERVATIONS: (1988) This report concerns funds for FY 1987, and is out of date.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Special Foreign Assistance Act, 1985 PL 98-529, sec. 203(c)	President	Congress	3 months after certification (under sec. 203(b)) and every 3 months thereafter	Sept. 3, 1987	Out of date

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: N0001518 CRS PRINTOUT DATE: 28NOV88

TITLE: Report of White House Conference for Drug-Free America

REQUIREMENT: Report addressing efforts to attack drug abuse at all levels of government, both U.S. and international, highlighting dimension of drug abuse crisis; to include findings and recommendations of the Conference, as well as proposals for any legislative actions necessary to implement such recommendations.

ASSESSMENT: (1988) Report is informative but very general in nature.

OPTIONS OR
OBSERVATIONS: (1988) It may be unrealistic to expect a consensus of opinion on legislative action from such a large group. However, it is useful to have an overview of what efforts have been taken to combat drug abuse.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Anti-Drug Abuse Act, 1986 PL 99-570, sec. 1937	White House Conference	Congress	Apr-11 1987; every three years following	Apr. 21, 1987 (Interim)	Active

REPORTING REQUIREMENTS AUTHOR: Per-1 ACCESS NUMBER: M0001400 CRS PRINTOUT DATE: 28NOV88

TITLE: Review of Effectiveness of International Narcotics Control Assistance Program

REQUIREMENT: Results of investigation to determine the effectiveness of the assistance provided pursuant to chapter 8 of part I of the Foreign Assistance Act of 1961 relating to international narcotics control.

ASSESSMENT: (1988) This report is a widely read and most useful product.

OPTIONS OR OBSERVATIONS: (1988) Although the requirement has been fulfilled, such a report might serve a useful purpose on an ongoing periodic basis--perhaps every two years.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Narcotics Control Act, 1988 PL 99-570, sec. 2007	Comptroller General	Congress	Periodically; final report due Mar. 1, 1988	Mar. 2, 1988; Jan. 25, 1988	Fulfilled

CBS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001403

AUTHOR: Per1

REMENTS **AUTHOR: Perl** **Major Illicit Drug-Producing and Drug-Transit Countries**

REPORTING REQUIREMENTS

TITLE:

Report (1) listing each major illicit drug-producing and drug-transit country (a) which encourages or facilitates drug production or distribution; (b) in which any senior official engages in or encourages production or distribution; (c) in which any U.S. Government drug enforcement employee has been threatened with violence, or (d) which fails to provide reasonable cooperation to U.S. drug enforcement activities; and (2) describing the activities and identities of officials concerned in the countries listed.

ASSESSMENT: (1988) This report provides major policy input into certification decisions. Its wording has been interpreted by some as singling out Mexico.

OPTIONS OR OBSERVATIONS:

(1988) This report might benefit from a classified annex and an unclassified version. If in effect the requirement's language is overly "Mexico-specific," one might consider removing the requirement to give it broader applicability consistent with U.S. policy.

LEGISLATION

International Narcotics
Act, 1986
PL 99-570, sec. 2013(a)

FROM WHOM
President

TO WHOM
Congress

FREQUENCY

Apr. 27, 1987, Jan. 25, 1988;
and every 6 months May 20, 1987
thereafter

DATE RECD

Jan. 25, 1988;	Active
May 20, 1987	

STATUS

Act 1v

REPORTING REQUIREMENTS AUTHOR: Per1 ACCESS NUMBER: N0001404 CRS PRINTOUT DATE: 28NOV88

TITLE: Assistance To Major Illicit Drug-Producing and Drug-Transit Countries

REQUIREMENT: For countries cited under PL 98-570, sec. 2013(a), certification where the facts warrant: (1) overriding vital national interests required provision of assistance; (2) such assistance would improve prospects for cooperation in halting drugs; (3) government has bona fide efforts to investigate any crime involving violence to employee of U.S. drug enforcement agencies.

ASSESSMENT: (1988) If this provision is to be retained--and many feel it should be in a form which does not clearly focus on Mexico--it is important to allow the President the option of giving a "national interest" certification. This provides an important "escape hatch" for the President to continue aid where the national interest warrants. It could be just as effective if the language were more generic and not Mexico-specific.

OPTIONS OR OBSERVATIONS: (1988) This requirement might be merged and its criteria incorporated in the certification guidelines required by PL 87-195, sec. 481(h)(2).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Narcotics Act, 1986 PL 98-570, sec. 2013(b)	President	Congress	Prior to assistance to countries meeting requirements of sec. 2013(a)	August 1988; May 20, 1987	Active

REPORTING REQUIREMENTS

TITLE: Countries Failing to Neotrate Drug Interdiction Procedures

REQUIREMENT: Report identifying those countries which have failed to negotiate with respect to procedures to facilitate interdiction of vessels suspected of carrying illicit narcotics.

ASSESSMENT: (1988) No report has been submitted to date.

OPTIONS OR OBSERVATIONS:

(1988) The law "urges" increased efforts to negotiate. If such negotiations are held and countries do not cooperate, a report shall identify them. If Congress wants such a requirement formally fulfilled, Congress may have to do more than "urge" such negotiations.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2015	Secretary of State	Congress	Semiannually		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001407 CRS PRINTOUT DATE: 28NOV88

TITLE: Unilateral Development Bank Assistance for Drug Eradication

REQUIREMENT: Detailed accounting of carrying out of requirements that Secretary of Treasury instruct U.S. Executive Director of International Narcotics Control Board to coordinate with other director and to ensure that (a) all available assistance is provided to major illicit drug-producing countries to develop a drug eradication program; and (b) increase amount of lending for crop substitution programs.

ASSESSMENT: (1988) One view is that part (a), financing of drug eradication programs, is not developmental in nature and may not be an appropriate task for the MBIs. The MBIs may be reluctant to proceed in that direction. Consequently, there may be little for the executive branch to report. The executive branch appears not to have paid much attention to this legislation. No NAC report has been produced. Treasury Department officials say the State Department should more appropriately prepare the report, notwithstanding the fact that the legislation specifies that the request for assistance must be made by the executive branch. It requires that the report be submitted to the topic to be addressed in the comprehensive drug report required under PL 87-195, sec. 403(e). Congress has enacted a similar directive. In the 1988 MB authorization act, requiring new U.S. efforts to persuade the World Bank and Inter-American Development Bank to fund drug eradication and relevant crop substitution or development programs in drug-producing countries.

OPTIONS OR OBSERVATIONS: (1988) There is considerable congressional interest in the subject. Consider requiring that this report be made through the comprehensive drug report. The NAC report might refer to the more comprehensive study.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2018(c)	Secretary of Treasury	Congress	Include in NAC annual report		Active

REPORTING REQUIREMENTS

TITLE: International Conference on Drug Abuse and Illicit Trafficking

REQUIREMENT: Status of U.S. preparation for the U.N. International Conference on Drug Abuse and Illicit Trafficking, including the status of naming the delegation, the issues expected to arise, and U.S. policy initiatives to be taken at the conference.

ASSESSMENT: This is a one-time report, the contents of which were useful and informative. Some suggest that a formal reporting is not necessary to obtain this type of information, and that a telephone request would suffice. Others, however, favor a formal requirement which expresses congressional interest and may be more likely to obtain the desired results.

OPTIONS OR
OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2021(c)	President	Congress	Apr. 30, 1987	May 13, 1987	Fulfilled

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001409

AUTHOR: Perl

REPORTING REQUIREMENTS

TITLE: **Effectiveness of International Drug Prevention and Control System**

REQUIREMENT: Any recommendations that may result from studying the capability of existing United Nations drug-related declarations, conventions, and entities to heighten international awareness and promote the necessary strategies for international action, to strengthen international cooperation, and to make effective use of available United Nations funds.

ASSESSMENT: (1988) The law suggests that the United States "should" study the existing U.N. capability and that the President shall report "any" recommendations that "may" result. Such language is not mandatory in nature, and no study was conducted nor report submitted by the specified date.

OPTIONS OR OBSERVATIONS:

(1988) If Congress wants such a requirement fulfilled, it could mandate that a study with recommendations "shall" be made and that Congress "shall" be provided with those recommendations.

LEGISLATION	FROM WHOM	TO WHOM	EMERGENCY	DATE RECD	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2022	President	Congress	April 30, 1987		Fulfilled

REPORTING REQUIREMENTS

TITLE: Ooium Production in Pakistan

REQUIREMENT: Report on adoption and implementation by the government of Pakistan of a comprehensive narcotics control program.

ASSESSMENT: (1986) Reporting requirement is silent on the issue of results of the program sought to be implemented.

**OPTIONS OR
OBSERVATIONS:** (1988) One-time report has been submitted.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2025	Secretary of State	Congress	Jan. 3, 1987	Feb. 10, 1987	Fulfilled

REPORTING REQUIREMENTS

TITLE: USIA and AID Drug Eradication Programs Abroad

REQUIREMENT: Description of drug education programs carried out by United States Information Agency and Agency for International Development; to be included in annual reports of those two agencies. (Requirement for annual report of Agency for International Development is in PL 87-195, sec. 634.)

ASSESSMENT: (1988) The information provided is general in nature and needs to include detailed in-depth descriptions of the programs to be of optimal use to Congress. USIA was not familiar with this requirement when contacted on Sept. 13, 1988. AID includes this information in its yearly Congressional Presentation.

(1988) This requirement might be retained as written or rewritten so as to require inclusion of this information as an appendix to the annual report required under PL 97-196, sec. 48(e). If not rewritten, a separate copy of this information alone might be transmitted to Congress.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2029	Director of USIA; Administrator of AID	Congress	Include in annual reports		Active

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001413

AUTHOR: Per1

REPORTING REQUIREMENTS

TITLE: Narcotics Control Efforts in Mexico

REQUIREMENT: Of funds allocated for international narcotics control assistance to Mexico for 1987, \$1 million to be withheld until President reports that government of Mexico has (1) fully investigated the 1985 murders of Drug Enforcement Administration agent Enrique Salazar and pilot Avilar; (2) fully investigated the detention and torture of agent Victor Cortez, Jr.; and (3) brought to trial and is effectively prosecuting those responsible for the murders and torture.

ASSESSMENT: (1988) The executive branch has complied with the requirements of PL 99-570, sec. 2030. Some question the wisdom of cutting narcotics control assistance for a country from which the United States seeks better narcotics control cooperation. On the other hand, many maintain that countries which do not fully cooperate should not receive aid.

OPTIONS OR OBSERVATIONS: (1988) This reporting requirement has been fulfilled and is no longer necessary.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
International Narcotics Act, 1986 PL 99-570, sec. 2030	President	Congress	Prior to release of \$1 million withheld in FY 1987		Out of date

REPORTING REQUIREMENTS AUTHOR: Per-1 ACCESS NUMBER: M0001414 CRS PRINTOUT DATE: 28NOV88

TITLE: United States-Bahamas Drug Interdiction Task Force

REQUIREMENT: Progress of the United States-Bahamas Drug Interdiction Task Force.

ASSESSMENT: (1988) The information provided is responsive to the requirement.

OPTIONS OR
OBSERVATIONS: (1988) This information could be and is in effect summarized in the report required under PL 87-196, sec. 481(e). If the report required under PL 87-196, sec. 481(e) were to place some additional emphasis on task force activities, this report would no longer be needed.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
National Drug Interdiction Improvement Act, 1986 PL 99-570, sec. 3301	Attorney General	Appropriate committees	Quarterly	Apr. 27, 1988; Nov. 30, 1987; Sept. 28, 1987 (1st qtr.)	Active

REPORTING REQUIREMENTS

TITLE:

REQUIREMENT:

ASSESSMENT:

OPTIONS OR OBSERVATIONS:

National Anti-Drug Reorganization and Coordination Act

After consultation with various government agencies, including the Secretary of State, recommend legislation to reorganize the executive branch to effectively combat drug traffic and drug abuse.

(1988) Report is of limited value and appears self-serving in nature.

(1988) Such recommendations might better be the product of an independent commission.

LEGISLATION

Anti-Drug Abuse Act, 1986
PL 99-570, sec. 7003

FROM WHOM

TO WHOM

FREQUENCY

DATE RECD

STATUS

President

Congress

April 1987

May 14, 1987

Fulfilled

ACCESS NUMBER: N0001521

AUTHOR: Perl

CRS PRINTOUT DATE: 28NOV88

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REPORTING REQUIREMENTS AUTHOR: McHugh ACCESS NUMBER: N0001531 CRS PRINTOUT DATE: 28NOV88

TITLE: Commission for the Study of International Migration and Cooperative Economic Development

REQUIREMENT: Results of the Commission's examination and recommendations to provide mutually beneficial reciprocal trade and investment programs to alleviate conditions leading to unauthorized migration to the United States.

ASSESSMENT: (1988) Commission was appointed; the report is due in 1990.

OPTIONS OR
OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Immigration Reform and Control Act, 1986 PL 99-603, sec. 601(c)	Commission for Study of International Migration	Congress	Within three years of Commission appointment		Active

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: N0001669 CRS PRINTOUT DATE: 28NOV88

TITLE: Agricultural Aid and Trade Mission Reports

REQUIREMENT: Report on findings and recommendations of agricultural and trade missions.

ASSESSMENT: (1988) The reports covering missions to four locations--Hong Kong, the Philippines, Indonesia, and Singapore were received in July 1988. Another mission is scheduled for Mexico in September. The legislation required that eight missions be completed and reports submitted within six months of its passage in December 1987.

OPTIONS OR OBSERVATIONS: (1988) The reporting requirement has been useful in indicating the pace at which the trade mission legislation has been fulfilled.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Agricultural Aid and Trade Missions Act, 1988 PL 100-202, sec 157, sec 4	Secretary of Agriculture	H. Comm on Agriculture	Aug. 8, 1988 (8 countries); Feb. 12, 1989 (8 additional)	July 1988 (4 countries)	Active
		S. Comm on Agriculture			
		Agriculture			
		H. Comm on Foreign Affairs			
		S. Comm on Foreign Relations			

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001670

AUTHOR: Tarnoff

REPORTING REQUIREMENTS

TITLE: **Progress Reports of Aid and Trade Missions**

REQUIREMENT: Report on progress made in implementing recommendations of missions reported under sec. 4, including quantity and dollar value of commodities shipped to eligible countries and specific development programs undertaken.

ASSESSMENT: (1988) Report not yet received.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WORK	TO WORK	FREQUENCY	DATE RECD	STATUS
Agricultural Aid and Trade Missions Act, 1968 PL 100-203, sec 5	Secretary of Agriculture Administration, AID	H. Comm on Agriculture Subcommittee on Agriculture	Dec. 1968-1980, quarterly		Active
		H. Comm on Foreign Affairs Subcommittee on Foreign Relations			

REPORTING REQUIREMENTS

TITLE: Contribution to the Multilateral Investment Guaranty Agency

REQUIREMENT: Certification that Director of Agency has proposed and actively sought the adoption by the Agency of the policies and procedures specified in sec. 405 of MR 3750, and that the Board has adopted those or similar policies and procedures, and that the Board has made such payment is likely to make achievement of policies and procedures more difficult.

ASSESSMENT: (1988) Certification was made in letter to Vice President. Presents the required information. Unclear whether House was also informed.

OPTIONS OR OBSERVATIONS: (1988) One-time report has been submitted. Requirement expired with appropriation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1988 PL 100-202, sec. 101(e), title I	Secretary of Treasury	Congress	Prior to Apr. 30, 1988	July 8, 1988	Fulfilled

REPORTING REQUIREMENTS
 TITLE: Foreign Affairs Administrative Support Report
 AUTHOR: Nowels
 ACCESS NUMBER: N0001533
 CRS PRINTOUT DATE: 28NOV88
 REQUIREMENT: Reports assessing management and performances of various offices and the validity of their goals and objectives, and whether appropriate personnel and funding resources are being made available.

ASSESSMENT: (1988) This extensive reporting requirement was initiated by the Senate Appropriations Committee over questions concerning the performance of central AID offices and directories located in Washington, D.C. (AID/W) and the extent to which these offices provided effective support for AID's overseas missions. The final product was a series of nine individual reports, accompanied by a general overview that identified common themes raised throughout the series. AID also included internal memoranda that challenged some of the conclusions and findings made in two of the reports. The studies were well written and thorough, particularly given the short time in which to respond (less than one year) and appeared to address issues raised by Congress. AID estimates that the report cost \$230,000 and that the staff involved cost the sum of \$235,000. AID believes that this was a useful project and will contribute to improving AID/W operations. AID also plans to initiate similar studies concerning other AID/W offices in the future.

OPTIONS OR OBSERVATIONS: (1988) Report appears to have served congressional as well as executive branch purposes. Interested congressional committees might want to informally ask AID to supply any subsequent studies that AID might prepare on this subject. Requirement expired with appropriation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQD	STATUS
Foreign Operations Appropriations Act, 1988 PL 100-202, sec. 101(e), title II	Administrator, Agency for International Development	H. Comm on Appropriations S. Comm on Appropriations	Apr. 15, 1988	April 1988	Fulfilled

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: N0001538 CRS PRINTOUT DATE: 28NOV88

TITLE: Reconstruction and Rehabilitation Assistance to El Salvador

REQUIREMENT: Detailed account of funds made available to El Salvador during FY 1987 for earthquake relief, rehabilitation and reconstruction assistance for National University of El Salvador and other institutions of higher education.

ASSESSMENT:

(1988) The audit of AID assistance to the Government of El Salvador for earthquake relief, rehabilitation, and reconstruction during FY 1987 found: (1) neither AID obligations advanced nor expenditures were properly accounted for by AID's mission in El Salvador; and by the Government of El Salvador; and (2) neither the funds expended were properly documented to comply with U.S. eligibility and procurement criteria. The findings of the audit concluded that, in general, funds had been properly accounted for and had been supported by adequate documentation. The audit also determined, however, that ineligible individuals and purposes had benefited from the program's credit component that was intended to assist low and middle income home owners. This had occurred, the report states, because of a lack of specificity in the program criteria and because lending institutions lacked the time and resources to verify all the applications for assistance. Finally, (the report) found that appropriated U.S. dollars may have been obligated or used for activities associated with the earthquake contrary to the program's intent and objectives. The report recommended that AID's mission in El Salvador be made complete. The report recommended that AID's mission in El Salvador, in consultation with the Government of El Salvador, identify the ineligible loans by institution and obtain restitution or substitution. In addition, the report recommended that the AID mission obtain from the 18 participating financial institutions in El Salvador, through the Government of El Salvador's Secretariat for External Financing, quarterly reports on the status of earthquake program loan balances, delinquencies, and reflows.

OPTIONS OR OBSERVATIONS:

(1988) Report was useful for monitoring expenditures for reconstruction and rehabilitation assistance. One-time report has been submitted. Congress may wish to apply similar reporting requirement to future rehabilitation and reconstruction assistance programs.

LEGISLATION

Foreign Operations Appropriations Act, 1988 PL 100-202, sec. 101(e), title II

FROM: FROM: Agency for International Development Inspector General

TO: TO: H. Comm on Appropriations S. Comm on Appropriations

FREQUENCY: Apr. 15, 1988

DATE REQ: Apr. 14, 1988

STATUS: Fulfilled

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: M0001555 CRS PRINTOUT DATE: 28NOV88

TITLE: Foreign Military Sales Debt Refocus

REQUIREMENT: Text of any agreement entered into for refinancing of outstanding FMS debt by private lenders.

ASSESSMENT: (1988) No such agreements have been reported, but will soon be required as countries enter refinancing agreements.

OPTIONS OR
OBSERVATIONS: (1988) Serves congressional need for information on FMS debt refinancing.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Operations Appropriations Act, 1988 PL 100-202, sec. 101(e), title III(a)	Secretary of State	H. Comm on Foreign Affairs S. Comm on Foreign Relations H. Comm on Appropriations S. Comm on Appropriations	30 days after entry into force		Active/App

REPORTING REQUIREMENTS

TITLE: Base Rights and Base Access Agreements

REQUIREMENT: Joint report detailing the U.S. financial and foreign policy purposes served by implementation of authority for refinancing military sales loans in efforts to negotiate base rights and base access agreements and for other bilateral foreign policy matters, on a country-by-country basis.

ASSESSMENT: (1988) No reports have been received--due in 1989.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1988 Public Law 100-192, title III(d)	Secretaries of Defense, State, Treasury	H. Comm on Foreign Affairs on Foreign Relations H. Comm on Appropriations S. Comm on Appropriations	Mar. 1, 1989; Aug. 1, 1989 (second report)		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001443

AUTHOR: Nowell's

REPORT NUMBER: 28NOV88

TITLE: Foreign Assistance Appropriations Accounts

W. J. Nowell's Foreign Assistance Appropriations Act may be obligated under an appropriations provision which they were not appropriated without the written prior approval of Appropriations Committees of both Houses of Congress (continued requirement in PL 99-190, sec. 514, and 99-591, sec. 514).

ASSESSMENT

(1988) Beginning in 1977, Congress each year included in the Foreign Assistance Appropriations Act a section that prohibited the transfer of funds between appropriation accounts without prior approval of both appropriations committees. Even prior to the 1983 Chadha decision finding legislative vetoes unconstitutional, Presidents Carter and Reagan argued that the providing for a committee veto was unconstitutional and that they would regard the provision as a requirement for prior notification only. Nevertheless, the appropriations committees have continued to provide the executive branch with their views on proposed transfers when they receive notification of intent, and agency administrators have respected the political force of committee objections. AID states that it has had no major problem with this arrangement (viewing the requirement as prior notification). As Congress decided to eliminate the Administration's authority to transfer funds between accounts under any circumstances, without such approval, there was no need to require any reporting provision, and consequently there is no such prior written approval requirement included in the foreign aid appropriations for FY 1989 (PL 100-461). It is anticipated, however, that this issue will be raised again in the next Congress, and that the authority, together with an appropriate notification requirement, might be enacted in to law in 1989.

OPTIONS OR OBSERVATIONS:

(1988) Should Congress restore this transfer provision, the requirement remains useful as a means for Congress to monitor Presidential use of special authorities.

LEGISLATION

Foreign Operations
and Appropriations Act, 1988
PL 100-202, sec. 101(e),
title V, sec. 514

FROM WHOM

TO WHOM

S. Comm on
Appropriations
H. Comm on
Appropriations

FREQUENCY

Prior to event

DATE REC'D

STATUS

Expired/As

REPORTING REQUIREMENTS AUTHOR: Abbas ACCESS NUMBER: N0001630 CRS PRINTOUT DATE: 28NOV88

TITLE: Multilateral Development Banks and "Debt for Conservation" Deals

REQUIREMENT: Report findings and implementation plan including projected timetables for "debt for conservation" initiatives including conservation exchanges to be implemented through MDBs, IMF, and other institutions to enable developing countries to repay outstanding debt through investment in conservation of tropical forests and other conservation activities.

ASSESSMENT: (1988) Report is a very minimal response--sometimes only a few lines--on the issues identified in the law. Does not develop concepts or provide the analysis required in the law. Staff of sponsors of the legislation comment that much space is devoted to extraneous recounting of "background" information on MDBs and very little to the initiatives in the law.

OPTIONS OR OBSERVATIONS: (1988) Although submitted, the report did not serve the purpose intended. Requirement expired with appropriation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Aid Appropriations Act, 1988 PL 100-202, sec. 101(e), title V, sec. 537(c)	Secretary of Treasury	S. Comm on Appropriations H. Comm on Appropriations	Apr. 1, 1988	Apr. 15, 1988	Fulfilled

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001431

AUTHOR: Abbas1

REPORTING REQUIREMENTS

TITLE: Projects Likely to Have Adverse Impacts on Environment

REQUIREMENT: List of categories of projects of multilateral development banks likely to have adverse impacts on the environment, natural resources, or indigenous peoples.

ASSESSMENT: (1988) This report is the same as the one mandated by sec. 1303(c) of the International Financial Institutions Act (PL 95-118), except that the other law requires that the authorizing committees should also be informed and the reports should be filed semiannually in June and December.

OPTIONS OR OBSERVATIONS: (1988) Consider elimination of this requirement. Retain requirement in International Financial Institutions Act, PL 95-118, sec. 1303(c), with possible change in report dates.

LEGISLATION	FROM WHICH	TO WHICH	FREQUENCY	DATE RECD	STATUS
Foreign Aid Appropriations Act 1988 PL 100-202, sec. 101(e), title V, sec. 537(h)	AID Administrator, with Secretaries of State and Treasury	S. Comm on Appropriations H. Comm on Appropriations	Apr. 1, 1988, and semiannually thereafter	Apr. 22, 1988	Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001430

AUTHOR: Abbas1

REPORTING REQUIREMENTS

TITLE: Proper Use of Chemicals In Foreign Aid

REQUIREMENT: Findings of committee, appointed by AID Administrator, after examining opportunities for assisting countries in the proper use of agricultural and industrial chemicals and processes and alternatives such as integrated pest management (continues requirement in PL 99-591, sec. 539(i)).

ASSESSMENT:

(1988) Extensive; contains a valuable array of information; this is a 101-page report on current situation in developing countries regarding chemicals and pesticides: use patterns, effects, problems, AID's role, constraints, integrated pest management, role in chemical industrial pollution. Six major recommendations include environmental and pesticide policies and procedures, assistance to chemical industries, U.S. government policies, and opportunities for integrated pest management. Consideration on pesticide and chemical industries and integrated pest management. No comparable information considered in AID. These subjects, costs to prepare the report are estimated at \$157,800 and required 238 work hours. This report was done by a committee of experts from outside Government. Some in-house AID staff commented the report is very useful as guidance for AID consideration of these issues; it "served to open up the possibility of AID getting back into" a more active role in chemicals. Since 1978, AID has steered clear of these issues because environmental concerns, especially possible environmental assessment problems were seen as constraints. Requirement expired with appropriation.

OPTIONS OR OBSERVATIONS:

(1988) AID believes that it is not necessary to make this a recurring requirement. Requirement fulfilled.

LEGISLATION

Foreign Aid Appropriations PL 100-202, sec. 101(e), title V, sec. 537(j)	FROM WHOM AID Committee on Health and the Environment	TO WHOM H. Comm on Subcommittees S. Comm on Appropriations	FREQUENCY Feb. 1, 1988	DATE REC'D Feb. 18, 1988	STATUS Fulfilled
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REPORTING REQUIREMENTS AUTHOR: Abdasi ACCESS NUMBER: N0001631 CRS PRINTOUT DATE: 28NOV88

TITLE: Use of Foreign Aid to Address Natural Resource Problems

REQUIREMENT: Report on strategy for maximizing foreign assistance through multilateral and bilateral development agencies to address natural resource problems.

ASSESSMENT: (1988) State Department took the lead and developed a first draft for this report, which encountered problems in the clearance process with AID and the Department of the Treasury. On a broad subject like this, such problems might be predictable.

OPTIONS OR OBSERVATIONS: (1988) Despite problems, the report formulation process appeared to serve one purpose intended by Congress: more priority or attention for these issues in the departments. High-level officials in all the agencies held meetings on environment and natural resources, attended by advocates and experts on these subjects; consideration of these issues at these levels had previously been sparse or non-existent. Requirement expired with appropriation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Aid Appropriations Act, 1988 PL 100-202, sec. 101(e), title V, sec. 537(k)	Secretary of State, Secretary of Treasury, AID	H. Comm on Appropriations S. Comm on Appropriations Appropriations Committee Authorizing Comm.	Aug. 1, 1988		Expired/As

CRS PRINTOUT DATE: 28NOV88

ALCIS NUMBER: N0001649

ALCIS (14)

including number of aliens issued immigration
waivers (4)(2), and reasons for granting waivers

... of a longstanding commitment to the American children
... and the high priority accorded by Congress to provide the
... in the United States and abroad.
... Immigration Act, 1952 (Pub. Law 223, 80 Stat. 2114)
... for another
... Security and Development
... First report is not due

... the level of commitment and the degree to which

... 2.5104
... 11.15.88

Special Ambassador to the Commission for the Americas

REQUIREMENT: Report describing the impact of the resolution of the armed conflict on the affected States in accordance with the issues affecting the agenda for the next year. The report should include the following information:

ASSESSMENT: The proposed formation of the special ambassador commission reflects congressional interest in renewed diplomatic initiatives to find a solution to the Cyprus problem and in sustaining a bilateral dialogue between Greece and Turkey, particularly as it relates to a negotiated settlement on Cyprus and NATO-related issues. Section 586(b) authorized the President to appoint a special ambassador and sec. 586(d) authorized the use of funds appropriated for Turkey and Greece to cover the administrative costs of the special commission. The appointment of a special ambassador and creation of the commission, however, was a discretionary activity of the President and not a mandatory one. The President's action in appointing a special ambassador, as a prelude to the establishment of the commission, was a discretionary activity. The Administration had no interest in establishing the commission. No report has been submitted, nor is one anticipated.

OPTIONS OR OBSERVATIONS: (1998) No apparent use for the reporting requirement. Requirement expired with appropriation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Aid Appropriations Act, 1968 PL 100-202, sec. 101(e), title V, sec. 596	President	Congress	June 1, 1968		Expired/Ap

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: N0001738 CRS PRINTOUT DATE: 29NOV88

TITLE: MIGA Project Impact on U.S. Exports and Foreign Labor Conditions

REQUIREMENT: Report 12 months after United States joins the Multilateral Investment Guarantee Agency (this occurred in April 1988) and annually thereafter for three reports on: (a) the net impact of U.S. investments guaranteed by MIGA on U.S. exports and imports, and (b) the amounts of such investment made in countries that do not accord labor internationally recognized rights.

ASSESSMENT: (1988) First report due in April 1989.

OPTIONS OR OBSERVATIONS: (1988) Review first report in April 1989 to determine if it meets congressional intent.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Multilateral Investment Guarantee Agency Act, 1988 PL 100-202, sec. 408	Secretary of Treasury	Congress	Annually, in four separate reports: April 1989, 1990, 1991, 1992		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER: M0001737 CRS PRINTOUT DATE: 28NOV88

TITLE: Annual Report on MIGA Activities

REQUIREMENT: (1988) The MAC shall report in its annual report required by sec. 4(b) of the Bretton Woods Agreements Act on the activities of the Multilateral Investment Guarantee Agency.

ASSESSMENT: (1988) The first report is due for publication in the 1988 MAC Annual Report.

OPTIONS OR
OBSERVATIONS:

(1988) Review first report, when it appears, to see if it meets congressional intent. Consider consolidation of this report with the other similar reports on individual MDB activities. (See observations of PL 79-171, sec. 4(b)(5).)

LEGISLATION

Multilateral Investment
Guarantee Agency Act, 1988
PL 100-202, sec. 408

FROM WHICH

MAC (Treasury
chairs)

TO WHICH

Congress

FREQUENCY

Annually, in MAC
Annual Report

DATE REC'D

STATUS

Active

REPORTING REQUIREMENTS

TITLE: Indochinese Refugee Resettlement

REQUIREMENT: Report on respective roles of the Immigration and Naturalization Service and the Department of State in the refugee program with recommendations for improving the effectiveness and efficiency of the program.

ASSESSMENT: (1988) This is a 50-page report accompanied by appendices. It discusses how refugee admission is accomplished and the respective roles of both agencies. The report recommends better training for INS and State Department officers, better guidance material for field offices, and improving the flow of refugees to the United States.

OPTIONS OR OBSERVATIONS: (1988) Fulfills obligation.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Relations Authorization Act, FYs 1988-89 PL 100-204, sec. 904(d)	President	Congress	June 22, 1988	June 22, 1988	Fulfilled

REPORTING REQUIREMENTS

TITLE: Israel's Right to Participate in the International Atomic Energy Agency

REQUIREMENT: Funds appropriated for FY 1988 under the foreign operations appropriations part of the Continuing Appropriation for FY 1988 may be made available for the IDEA only if the Secretary of State determines, and so reports to the Congress, that "Israel is not being denied its right to participate in the activities of that agency."

ASSESSMENT: (1988) For several years there have been attempts by Arab states to expel Israel from the IAEA. This reporting provision assures Congress that the Administration is paying attention to these efforts and that other countries know the consequences of any curtailment of Israel's right to take part in IAEA activities.

OPTIONS OR OBSERVATIONS: (1988) Remains useful for congressional quarters that would protect Israel's right to participate in activities of the IAEA. Can be expected for the FY 1989 appropriations.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriation Act, 1969 PL 100-461, sec. 10(e), title I	Secretary of State	Congress	Upon determination		Active

REPORTING REQUIREMENTS AUTHOR: Sanford ACCESS NUMBER M0001034 CRS PRINTOUT DATE: 20NOV88

TITLE: Prohibition Against Indirect Funding to Certain Countries

REQUIREMENT: Certification that contributing U.S. funds to international agencies which provide aid to Angola, Cambodia, Cuba, Iraq, Libya, Vietnam, South Yemen, Iran, or Syria would be in the national interest of the United States

ASSESSMENT: (1988) This provision prohibits the United States from providing any "indirect" assistance to these selected countries unless the President certifies that the larger U.S. national interests are served. The President made the FY 1988 certification one month prior to the date of the U.S. contribution to the MSBS, in conformity with the law.

OPTIONS OR OBSERVATIONS: (1988) The provision reflects continuing congressional interest in prohibiting indirect funding to these countries. The waiver authority has the effect of placing the responsibility on the President if the United States continues to be a contributing member after the international agency makes loans to disfavored countries.

LEGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 101(e),
title V, sec. 550

FROM WHOM
President

TO WHOM
Congress

FREQUENCY
Prior to
obligating funds

DATE RECD
Jan. 29, 1988

STATUS
Active/App

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N0001648 CRS PRINTOUT DATE: 28NOV88

TITLE: Letter of Offer--Stinger Missiles

REQUIREMENT: Notification containing information required by PL 90-629, sec. 36(b), before issuing any letter of offer to sell or provide Stinger missiles, without regard to amount of transfer.

ASSESSMENT: (1988) Reports have been submitted on a timely basis with sufficient information. DSAA recommends the requirement be repealed because of the administrative burden it creates. All Stinger sales "are authorized only after full administrative case-by-case review, and when all security requirements are met." Furthermore, sales over the \$10 million threshold are reported under PL 90-629, sec. 36(b). However, House Committee on Foreign Affairs staff indicates a continuing congressional interest in the report.

OPTIONS OR

OBSERVATIONS: (1988) Congress could consider modifying the requirement to eliminate reporting of Stinger sales, below the \$14 million threshold to close allies to reduce the administrative burden.

LEGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 101(e),
title V, sec. 566(c)

FROM WHOM

President

TO WHOM

Speaker of the
House
Senate Majority
Leader

FREQUENCY

Prior to
notification

DATE RECD

June 13, 1988
(FRG); Mar. 29,
1988; Mar. 25,
1988

STATUS

Active/App

REPORTING REQUIREMENTS

TITLE: Deobligation and Reobligation of Funds

REQUIREMENT: Notification that funds previously obligated under the authority of the Foreign Assistance Act of 1961 will be deobligated and reobligated for same general purpose and region as originally obligated (continues requirement in PL 100-202, sec. 515, PL 98-190, sec. 515, and PL 99-591).

ASSESSMENT: (1988) This provision was first enacted as sec 403 of the Supplemental Appropriations Act, 1983 at a time when there was a major recession and the major condition was that the purpose of the provision was to provide a procedure by which funds that were not going to be used for the purpose for which they had been obligated to be reallocated to meet unusual or high priority needs. This provision prompted 98 notifications in FY 1987 most of which would have been required under the general reprogramming process. AIO finds the deobligation-reobligation authority a valuable mechanism and does not regard the reporting requirement as a burden

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969		S. Comm on Appropriations	15 days in advance		Active/App
PL 100-461, sec. 515		H. Comm on Appropriations			

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001554

AUTHOR: Sanford

REPORTING REQUIREMENTS

TITLE: Financial Institutions--Documentation

REQUIREMENT: None of the funds appropriated shall be available to any international financial institution whose U.S. Governor cannot obtain any documents developed by the international financial institution, unless the U.S. Governor or representative certifies that the confidentiality of the information is essential to the operation of the institution (continuation of requirement in PL 100-202).

ASSESSMENT: (1988) This is a relatively new requirement, first adopted in December 1987. Previously, the U.S. Government was required to have access to all MOD documents, with no provision for cases of confidential data. The underlying question is whether the U.S. Government can get sensitive JFI data but not provide it (upon request) to congressional committees. The Administration has stated that it would refuse to provide such data if the confidential operations of the MODs were to be subject to disclosure through this procedure.

OPTIONS OR OBSERVATIONS:

(1988) Congress may wish to consider revising the requirement. A major executive-legislative dispute could ensue if Congress formally insisted under this provision that the Administration provide it with internal MOB data. Congress and the Administration need to work out a better system for keeping the legislature informed about MOB activities.

REGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 520

FROM WHOM

President

WHO TO

H. Comm on
Appropriations
S. Comm on
Appropriations

FREQUENCY

**Upon occurrence,
to affect future
U.S. contributions**

DATE RECD

STATUS

Act 1vo/App

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
For Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 523		S. Comm on Appropriations H. Comm on Appropriations	15 days in advance		Active/App

CRS PRINTOUT DATE: 28NOV88

AUTHOR:

REPORTING REQUIREMENTS

Foreign Aid Reprogrammings (continued)

TITLE:

REQUIREMENT :

ASSESSMENT:

(sec. 523 continued) The new procedure also raises from 10 percent to 20 percent the threshold above which funding changes for development assistance must be notified to Congress, and adds the requirement that for military assistance, notifications are required not only for dollar increases, but also for changes in the quantities of major defense equipment that have not been previously justified or that are 20 percent higher than the quantities previously justified. The new procedure also requires notification of all reprogramming of FMS concessional credits, not just those for major defense equipment and those over a 20 percent threshold. AID submitted its global report on April 5, 1989, which cleared Congress without objection. AID estimates that it invested 4,876 staff hours at a cost of \$161,200 in responding to the entire range of congressional notification requirements (deobligation/recognition, ESF cash transfers, security assistance reporting, and the new threshold for development assistance). AID's global report and the threshold change from 10 percent to 20 percent are "major steps in the right direction,"

OPTIONS OR OBSERVATIONS:

(1988). The new process instituted in FY 1988 should be monitored closely to see if it meets congressional informational needs while at the same time relieves the executive branch of what officials considered unreasonable reporting burdens. Particular attention might also focus on submissions made for military assistance programs in view of past congressional concerns that not enough information was provided. The portion applicable to FMS congressional credits in title III of the Act should be made consistent with the requirement under sec. 523 of this Act.

LEGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 523
(continued)

FROM WHOM

TO WHOM

FREQUENCY

DATE RECD

STATUS

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001439

AUTHOR: Broome-McHugh

ALFRED M. REAGAN

BOXING PRINCIPLES OF UNITED NATIONS MEMBERS

REMARKS:

Report assessing the degree of support provided by the government of each foreign country during the past year for the foreign policy of the United States. The report is published in the United States, and contains information with regard to the United States, important related documents such as the Non-Aligned Communiqué. Information provided by the U.S. Permanent Representative to the U.N. shall be appended to this report. Sec. (b) provides that no funds under this Act shall finance directly any assistance to a country found by the President to be "engaged in a consistent pattern of opposition" to U.S. foreign policy. Sec. (c) requires adherence to the identical format used in the June 1986 report submitted under PL 99-190 and PL 98-164 (continues requirement in PL 100-202, sec. 527 and PL 99-591, sec. 528).

ASSESSMENT:

(1988) This requirement previously has been contained in five successive Foreign Assistance Appropriations Acts: PL 98-15, sec. 101(b)(1); PL 98-473, sec. 530; PL 99-190, sec. 528(a) and (b); PL 99-591, sec. 101(1); and PL 100-202, sec. 528(a), (b) (c), and PL 100-202, sec. 528. The report also fulfills the requirement under PL 98-164, sec. 117. The requirement. The President states that the report also fulfills the requirement under PL 98-164, sec. 117. (Policies Pursued by Other Countries in International Organizations). Congressional staff members indicate that this report, especially the key votes section, has been very useful to Congress and is perceived in Congress and the Department of State as affecting the behavior of other nations in the United Nations. The report contains only statistical information on General Assembly and Security Council votes. There is no assessment of government-by-government support for U.S. policy, speaking record, or actions taken in related documents, as required. The President does not make any determination or provide any information on whether any U.N. members (1) have engaged in the consistent pattern of opposition to U.S. foreign policy, or (2) have engaged in the consistent pattern of opposition to U.S. foreign policy. The report also included an appendix of U.S. military and economic assistance to U.N. members which was drawn from the FY 1988 Congressional Presentation by AID. According to AID, this appendix required 95 work hours and cost \$3,400. It is not required by the legislation although it does contain relevant information. AID points out by letter to CRS that the only country that the withholding provision would have applied to is Zimbabwe which receives no U.S. foreign aid. No such analysis is contained in the report itself, although AID claims that this provision is a "lengthy report requirement for State." AID also questions the view that opposition to the United States in the U.N. should be the primary determinant for aid eligibility.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful; consider following options. Include abstentions and important decisions made by consensus to give Congress an idea of the magnitude of issues settled without voting. Include or append other significant indicators of support for U.S. foreign policy such as the text of the Non-Aligned Communiqué. To improve congressional understanding of why each key issue and votes are chosen for key votes section, include background on related action on key issues and other possible explanations of behavior.

LEGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 527

FROM WHOM

President

TO WHOM

Speaker of House
President of Senate

FREQUENCY

Annually, by
Jan. 31, or in
Congressional
Presentation,
whichever is
earlier

DATE RECD

Mar. 14, 1988;
Apr. 23, 1987;
June 6, 1986, May
20, 1985; Feb. 24,
1984

STATUS

Active/App

REPORTING REQUIREMENTS

TITLE: **Lebanon--Obligation of Funds**

REQUIREMENT: Prior notification on the obligations of Economic Support Funds or Foreign Military Sales funds provided in act (continues requirement in PL 100-202, sec. 533, PL 99-190, sec. 536, and PL 99-591, FAA, sec. 535).

ASSESSMENT: (1988) The information required in this report is already available to Congress through other provisions, either in the Congressional Presentation document, or through subsequent reprogramming and deobligation-reobligation notifications.

OPTIONS OR OBSERVATIONS: (1988) Provision is essentially redundant and could be allowed to lapse with appropriation. AID concurs.

LEGISLATION	FROM WHICH	TO WHICH	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 532		S. Comm on Appropriations June 15, 1988; H. Comm on Appropriations Dec. 3, 1987	Regular notification	Aug. 9, 1988; June 15, 1988; Dec. 3, 1987	Active/App

REPORTING REQUIREMENTS

TITLE: Notification of U.S. Aircraft Exports to Central America

REQUIREMENT: Notification 15 days in advance of arms export licensing or use of foreign assistance authority to make available any helicopters or other aircraft for military use to Central America.

ASSESSMENT: (1988) This provision reflects continuing congressional concern regarding the introduction into Central America of sophisticated military aircraft which may result in increased civilian casualties in these countries.

OPTIONS OR OBSERVATIONS: (1988) The requirement remains useful for Congress to monitor U.S. military equipment flows to Central America.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE_RECV	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, sec. 553(a)		H. Come on Appropriations S. Come on Appropriations H. Come on Foreign Affairs S. Come on Foreign Relations	15 days in advance		Active/App

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: N0001629 CRS PRINTOUT DATE: 28NOV88

TITLE: Foreign Country Aircraft to Central America

REQUIREMENT: Prompt notification that a foreign country has provided helicopters or other aircraft for military use to Central America.

ASSESSMENT: (1988) The reports pursuant to sec. 535(b) are classified. Reporting by the Secretary of State has been made on a timely basis. This provision reflects continuing congressional concern regarding the introduction into Central America of sophisticated military aircraft which may result in increased civilian casualties in these countries.

OPTIONS OR OBSERVATIONS: (1988) The requirement remains useful to monitor foreign military equipment flows to Central America.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 533(b)	Secretary of State	H. Comm on Appropriations S. Comm on Appropriations H. Comm on Foreign Affairs S. Comm on Foreign Relations	Promptly		Active/App

LEGISLATION	FROM WORK	TO WORK	EFFECTIVE	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 534		S. Come on H. Come on	15 days in advance		Active/app

REPORTING REQUIREMENTS AUTHOR: ACCESS NUMBER: N0001702 CRS PRINTOUT DATE: 28NOV88

TITLE: Report on Use of Renewable Energy Technologies Overseas

REQUIREMENT: Report on AID's activities and practices which encourage or discourage the use of renewable energy technologies overseas, and on ways to correct or refocus those efforts. Report shall include but is not limited to activities which could be directed to develop a stronger interface with the private sector through the establishment of a U.S. Renewable Energy Industry Advisory Council.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR
OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-661, sec. 555(c)	Administrator, Agency for International Development	H. Comm on Appropriations S. Comm on Appropriations	By Jan. 15, 1989		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001632

AUTHOR: Nowels

REPORTING REQUIREMENTS

TITLE: Obligation of Funds to Sudan, Somalia, Burundi, Liberia, Uganda, and Jamaica

REQUIREMENT: Notification of funds obligated for Sudan, Somalia, Burundi, Liberia, Uganda, and Jamaica.

ASSESSMENT:

(1988) The requirement for prior notification of country-specific obligations--a frequent practice in recent foreign aid appropriation laws--reflects a desire by congressional committees to be kept currently informed regarding the transfer of funds to countries where the committees have noted some problem with the aid program and/or conditions in a recipient country. The list of affected countries will change from year to year as problems and concerns develop or are resolved.

OPTIONS OR OBSERVATIONS:

(1988) These notifications appear to serve a useful purpose of providing timely information in areas of high congressional interest. Given the extensive Congressional Notification system used by AID to advise Congress regarding obligations for all countries, this requirement does not appear to add an excessive additional burden for the executive branch. Care might be taken, however, to carefully review and modify the list of countries each year so that the requirement applies only to countries for which there is sufficient congressional interest.

LEGISLATION

Foreign Operations
Appropriations Act, 1988
PL 100-461, sec. 843

FROM: NOW

TO: NOW

H. Comm on
Appropriations
S. Comm on
Appropriations

FREQUENCY

15 days in
advance

DATE REC'D

STATUS

Active/App

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N0001837 CRS PRINTOUT DATE: 28NOV88

TITLE:

Limitation on Defense Equipment Drawdown

REQUIREMENT:

New notification under sec. 508(b) and sec. 562 of PL 87-195, of drawdown if articles were not delivered or services not initiated within 120 days, including explanation for delay of delivery of defense articles, services, and training (continues requirement in PL 100-202).

ASSESSMENT:

(1988) No reports have been received under this provision. House Committee on Foreign Affairs and DSAA staff consider this a valid requirement.

OPTIONS OR

OBSERVATIONS: (1988) The report requirement remains useful.

LEGISLATION

Foreign Operations
Appropriations Act, 1989
PL 100-461, sec. 553

FROM WHOM

TO WHOM

Congress

FREQUENCY

Prior to date of
delivery, if
equipment not
delivered within
120 days of
initiation
notification

DATE RECD

STATUS

Active/App

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: W0001638 CRS PRINTOUT DATE: 28NOV68

TITLE: Notification on Excess Defense Equipment

REQUIREMENT: Notification that excess defense equipment will be transferred, to same extent as other committees are notified pursuant to Foreign Assistance Act (PL 87-186, sec. 516(c)) (continues requirement in PL 100-202).

ASSESSMENT: (1968) No reports have been issued since this was enacted. House Committee on Foreign Affairs and DSAA staff recommend retaining the provision.

OPTIONS OR OBSERVATIONS: (1968) To avoid duplication, the additional recipients of the report could be added to the requirement in PL 87-186, sec. 516(c).

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, sec. 554	Department of Defense	H. Comm on Appropriations S. Comm on Appropriations	Prior to transfer		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001635

AUTHOR: Day

REPORTING REQUIREMENTS

TITLE: Aid to Liberia

REQUIREMENT :

(1) Certification by the AID Administrator that the Government of Liberia has: a) taken steps to reduce extrabudgetary expenditures; b) reduced borrowing in anticipation of tax receipts, profit-sharing, maritime or other revenues; c) reduced the use of offshore funds for domestic expenditures; d) reduced the extent to which public funds are expended on nonproductive projects; e) increased the transparency of its financial affairs; f) paid local currency wages to U.S. foreign aid workers; g) eliminated the use of U.S. dollars as a medium of exchange; h) obtained certification from the Secretary of State that the Government of Liberia has made progress on: a) allowing political opposition groups to organize, assemble, and disseminate their views; b) respecting constitutional guaranteed rights of freedoms of the press and speech; c) allowing the independence of the legislature; d) establishing an independent judiciary; e) providing for political prisoners by international human rights organizations; and f) improving human rights conditions.

ASSESSMENT :

(1988) Requirement reflects congressional intent to link U.S. foreign assistance to verifiable economic and political reforms and improved accountability by the Government of Liberia. Certification was submitted by AID on Aug. 10, 1988, that the Government of Liberia had taken steps to reduce extrabudgetary expenditures, had ceased diverting and misusing U.S. aid, and had paid all amounts owed to local currency accounts for shortfalls in FY 1983-84 payments. The State Department also submitted its findings that the Government of Liberia had made progress on political freedoms and human rights. Subsequently, a notice of a proposed \$11 million ESF obligation was transmitted.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Foreign Aid Appropriations
Act, 1988
PL 100-461, sec. 555(a)

FROM WHOM

**AID
Administrator,
Secretary of State**

TO WHOM

Congress

FREQUENCY

Prior to funding

DATE RECD

Aug. 10. 1988

STATUS

Active/Ado

REPORTING REQUIREMENTS

TITLE:
Debt Relief Agreements

REQUIREMENT: Text of agreement with any foreign government which would result in debt relief, with detailed justification (continues requirement in PL 100-202).

ASSESSMENT: (1988) This requirement repeats the language of sec. 603(a)(2) of the International Development and Food Assistance Act of 1978 (PL 95-424).

OPTIONS OR OBSERVATIONS:

(1988) As permanent legislation already exists, it appears redundant to include in appropriations legislation and could be allowed to lapse with the current appropriations act. According to the Agency for International Development, this requirement has posed no significant problem to meet but is considered unnecessary by the Administration.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989	Secretary of State	H. Comm on Appropriations	30 days prior to entry into force		Active/App
PL 100-461, sec. 557		S. Comm on Appropriations			
		Other Appropriate Committees			

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 562	President	H. Comm on Appropriations S. Comm on Appropriations	15 days in advance		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001643

AUTHOR: Day

REPORTING REQUIREMENTS

TITLE: Assistance to Panama

REQUIREMENT: Certification that: (1) Government of Panama has demonstrated substantial progress in assuring civilian control of the armed forces; (2) is investigating alleged illegal actions of Panama Defense Forces; (3) satisfactory agreement has been reached on free and fair elections; and (4) freedom of press and other constitutional guarantees are restored to Panamanian people (Continues requirement in PL 100-202).

ASSESSMENT: (1988) Certification requirement reflects congressional interest in conditioning all U.S. assistance and votes on multilateral development loans for Panama, and any joint military exercises, on progress toward a civilian democracy in which constitutionally protected rights and civilian control of the armed forces are maintained. Certification under sec. 584 is also required for provision of a sugar quota allocation under sec. 585.

OPTIONS OR OBSERVATIONS: (1988) This requirement is useful but could be updated in future legislation to reflect recent events of interest to Congress.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 564	President	Congress	Prior to completion of funding for joint military exercises		Active/App

REPORTING REQUIREMENTS

TITLE: Stingers in the Persian Gulf--Bahrain

REQUIREMENT: Certification that Strategic anti-aircraft missiles are needed by Bahrain to counter an immediate air threat and/or contribute to the protection of U.S. personnel, facilities, or operations; no alternative is available from the United States; Bahrain agrees to safeguards; and Bahrain agrees to a U.S. buy-back of all remaining missiles not later than June 1989 (continues requirement included in PL 100-202).

ASSESSMENT: (1988) The Administration made such notifications in FY 1988, thereby allowing the otherwise prohibited transfer to take place. DSA commented that the requirement is an administrative burden and duplicates sec. 36(b) reports. House Committee on Foreign Affairs remains interested in such notifications.

OPTIONS OR OBSERVATIONS: (1988) If Congress continues the ban on Stinger exports, it will probably be necessary to allow exceptions with some such certification.

LEGISLATION	FROM INFO	TO INFO	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, sec. 566(b)	President	Congress	Each time an exception is made to the prohibition	May 19, 1968	Active/App

ACCESS NUMBER: N0001698

REPORTING REQUIREMENTS

AUTHOR:

TITLE: Letters of Offer for Defense Articles to Qatar

REQUIREMENT: Notification that Qatar has returned all Stinger Antiaircraft missiles illegally acquired or purchased, so that new defense articles or service can be offered.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, sec. 566(d)	President	N. Come on Appropriations Subcommittee Appropriations N. Come on Foreign Affairs Subcommittee on Foreign Relations	Effective Apr. 1, 1969, and prior to Office		Active/App

REPORTING REQUIREMENTS AUTHOR: Shuey ACCESS NUMBER: N0001647 CRS PRINTOUT DATE: 28NOV88

TITLE: Report on Global Threat of Advanced Missiles

REQUIREMENT: Report assessing the global threat caused by proliferation of portable ground-to-air missiles with advanced technology comparable to that of the Stinger missile, without regard to country of origin of those missiles. Report to give special emphasis to danger or such missiles being used in acts of terrorism. Additional report every three months during the 18 months following passage on conditions and timing of delivery and means of recovery of missiles sold (continuation of requirement in PL 100-202).

ASSESSMENT: (1988) One report was submitted about two months late assessing the global threat caused by transfers of man-portable air defense systems. That portion of the requirement is fulfilled, but no reports have been received responding to the requirement for information on recovery of missiles sold.

OPTIONS OR OBSERVATIONS: (1988) Remains useful.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Aid Appropriations Act, 1988 PL 100-461, sec. 573(c)	President	Congress	Mar. 12, 1988; every 3 months thereafter	May 19, 1988	Active/App

REPORTING REQUIREMENTS

TITLE: **Prohibition on Transfer of Equipment on U.S. Munitions to Cyprus**

REQUIREMENT: Evidence that equipment on the U.S. Munitions List that has been transferred to Turkey or Greece has been used in a manner inconsistent with the prohibition on the transfer of such equipment to Cyprus.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 579	President Congress		After Oct. 1, 1988		Active/App

REPORTING REQUIREMENTS

ACCESS NUMBER: N0001647

AUTHOR: Shuey

TITLE:

Report on Global Threat of Advanced Missiles

REQUIREMENT: Report assessing the global threat caused by proliferation of portable ground-to-air missiles with advanced technology comparable to that of the Stinger missile. Without regard to country of origin of those missiles. Report to give special emphasis to danger or such missiles being used in acts of terrorism. Additional report every three months during the 18 months following passage on conditions and timing of delivery and means of recovery of missiles sold (continuation of requirement in PL 100-502).

ASSESSMENT: (1988) One report was submitted about two months late assessing the global threat caused by transfers of anti-aircraft missiles to the Soviet Union. The requirement of the report was not fulfilled, but no reports have been received responding to the requirement for information on recovery of missiles sold.

OPTIONS OR OBSERVATIONS:

(1988) Remains useful.

LEGISLATION

Foreign Aid Appropriations Act, 1988
PL 100-461, sec. 573(c)

FROM WHOM

President

TO WHOM

Congress

FREQUENCY

Mar. 12, 1988;
every 3 months
thereafter

DATE RECD

May 19, 1988

STATUS

Active/App

REPORTING REQUIREMENTS

TITLE: Prohibition on Transfer of Equipment on U.S. Munitions to Cyprus

REQUIREMENT: Evidence that equipment on the U.S. Munitions List that has been transferred to Turkey or Greece has been used in a manner inconsistent with the prohibition on the transfer of such equipment to Cyprus.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 579	President	Congress	After Oct. 1, 1988		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001709

AUTHOR:

REPORTING REQUIREMENTS

Notification of Missile Sales

REQUIREMENT: Notification of a letter of offer to sell any Air-to-Ground or Ground-to-Air missile or associated launcher, if within the preceding six months a listing has not been transmitted regarding such sale pursuant to sec. 28 of PL 90-629, and if sec. 36(b) of that Act does not apply, Notification shall contain information required in sec. 36(b).

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

**OPTIONS OR
OBSERVATIONS:**

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, sec. 588(b)(1)	President	Speaker of the House S. Comm on Foreign Relations (Chairman)	30 days prior to offer unless emergency exists		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001708

AUTHOR:

REPORTING REQUIREMENTS

TITLE: Report of Investigation of Property in Costa Rica

REQUIREMENT: Findings of an independent factfinder investigating the legal and financial issues involving the Government of Costa Rica and an American citizen concerning property and businesses in Limon Province, Costa Rica.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, sec. 653	Secretary of State	H. Comm on Appropriations S. Comm on Appropriations H. Comm on Foreign Affairs S. Comm on Foreign Relations	Mar. 1, 1969		Active/App

CRS PRINTOUT DATE: 28NOV88

ACCESS NUMBER: N0001707

AUTHOR:

REPORTING REQUIREMENTS

TITLE: United Nations Environment Program

REQUIREMENT: Report analyzing the effectiveness of the U.N. Environment Program and detailing how UNEP has or intends to spend the funds appropriated.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title I	Secretary of State	H. Comm on Appropriations S. Comm on Appropriations	Before June 1, 1989		Active/App

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: R0001535 CDS PRINTOUT DATE: 2800000

TITLE: Assistance to El Salvador—Investigation of Murders

REQUIREMENT: Report of investigation regarding the murder of U.S. citizens (up to \$1 million may be made available to assist the Government of El Salvador's Special Investigative Unit for purpose of bringing to justice those responsible for the murders) (continues requirement in PL 100-202).

ASSESSMENT: (1988) This reporting requirement expresses long-standing congressional concern regarding an early release, under amnesty provisions, of those responsible for the murders of four U.S. Marines (1983), four U.S. Churchmen, and two U.S. labor advisers.

OPTIONS OR OBSERVATIONS: (1988) This requirement remains useful so long as the investigation is in progress. Congress may consider consolidating this and several other requirements concerning human rights and political events in El Salvador into one report.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title II		Congress	Not specified		Active/App

REPORTING REQUIREMENTS

TITLE: Used Aid Credits

REQUIREMENT: Determination that it is in the national interest to make available more than \$5 million to finance tied aid credits. None of the funds appropriated under the Economic Support Fund may be used without prior approval of the Administrator of AID (continues requirement in PL 100-505, title II, and PL 96-581, FAA, title II).

ASSESSMENT: (1988) This determination was not made in FY 1988.

OPTIONS OR OBSERVATIONS: (1988) Remains a useful mechanism to monitor use of ESF funds for tied aid credit purposes.

LEGISLATION	FROM WHEN	TO WHEN	FREQUENCY	DATE REC'D	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title II	President Appropriations	H. Comm on Appropriations	15 days in advance		Active/App
		S. Comm on Appropriations			

REPORTING REQUIREMENTS AUTHOR: Day ACCESS NUMBER: M0001826 CRS PRINTOUT DATE: 28NOV88

TITLE: ASSISTANCE TO MOZAMBIQUE

REQUIREMENT: Certification that it is in the national interest of the United States to make funds available for activities in Mozambique (Continues requirement in PL 100-202).

ASSESSMENT: (1988) Certification was submitted on July 26, 1988, that it was in the national interest of the United States to provide economic assistance to Mozambique. Submission of another report (PL 100-202, sec. 580) in May 1988, certified improved relations between the Government of Mozambique and the Catholic Church; guarantees of due process and just compensation for expropriated property; and a reduction of Soviet/Eastern bloc military personnel. This certification lifted a similar restriction on aid to Mozambique.

OPTIONS OR OBSERVATIONS: (1988) Congressional interest in this issue continues.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQ	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title II	President	Congress	Prior to making funds available		Active/App

REPORTING REQUIREMENTS AUTHOR: Shuy ACCESS NUMBER: W0001446 CRS PRINTOUT DATE: 28NOV88

TITLE: Changes in Concessional Financing Allocations Under Foreign Military Sales

REQUIREMENT: All country and funding level changes in requested concessional financing allocations under foreign military sales program (continues requirement in PL 100-202, title III, and PL 98-581, FAA, title III).

ASSESSMENT: (1988) This provision is similar to, but more comprehensive than, reprogramming notifications required by sec. 523 of this Act and sec. 634A of PL 87-186, in that it calls for a notification of all changes, increases and decreases, whereas the other requirements call for notifications only for increases in country program levels. There is no similar comprehensive requirement for reprogramming of BW funds or FMS financing grants.

OPTIONS OR OBSERVATIONS: (1988) Consider making the reporting requirements for FMS concessional loans, FMS grants, and BW the same. See discussion of sec. 523 of this Act.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title III	President	S. Comm on Appropriations H. Comm on Appropriations	15 days in advance		Active/App

REPORTING REQUIREMENTS

TITLE: Military Assistance to Haiti

REQUIREMENT: Notification on intention to obligate Military Assistance Program (MAP) funds (limited to non-lethal) items such as transportation and communications equipment and uniforms).

ASSESSMENT: (1988) Requirement reflects continuing congressional insistence that U.S. military aid to Haiti be closely monitored.

OPTIONS OR OBSERVATIONS: (1988) Requirement remains useful to monitor developments in Haiti.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, title III	President	H. Comm on Appropriations	15 days in advance		Active/App
		S. Comm on Appropriations			

CRS PRINTOUT DATE: 28NOV88

AUTHOR:

REPORTING REQUIREMENTS

ACCESS NUMBER: N0001703 CRS PRINTOUT DATE: 28NOV88

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

OPTIONS OR OBSERVATIONS:

LEGISLATION	FROM WHICH	TO WHICH	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title III	President	H. Comm on Appropriations S. Comm on Appropriations	Annually by Mar. 1		Active/App

REPORTING REQUIREMENTS

TITLE: Notification on Uncommitted Military Assistance Funds

REQUIREMENT: Notification of plans to commit military aid funds that had not been previously committed within two years after the original appropriation; notification to include reasons why no commitment was made, amounts involved, and proposed sales to be financed.

ASSESSMENT: (1988) This is a new reporting requirement enacted on Oct. 1, 1988.

**OPTIONS OR
OBSERVATIONS:**

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE RECD	STATUS
Foreign Operations Appropriations Act, 1969 PL 100-461, title III	President	H. Comm on Appropriations S. Comm on Appropriations	15-day prior notification		Active/App

REPORTING REQUIREMENTS AUTHOR: Tarnoff ACCESS NUMBER: M0001627 CRS PRINTOUT DATE: 28NOV88

TITLE: Limitation on Program Activity--Tied Aid Credits

REQUIREMENT: Notification of programming during FY 1989 of up to \$110 million to be available as tied aid credits (continues requirement in PL 100-202).

ASSESSMENT: (1988) The Export-Import Bank did not ask for an appropriation for tied aid credits in FY 1989 because the rules governing them have been tightened by the OECD. No action was taken in FY 1988 to use the available \$110 million for this purpose.

OPTIONS OR OBSERVATIONS: (1988) Not necessary so long as Export-Import Bank does not request such funding.

LEGISLATION	FROM WHOM	TO WHOM	FREQUENCY	DATE REQD	STATUS
Foreign Operations Appropriations Act, 1989 PL 100-461, title IV	Export-Import Bank (Chairman)	H. Comm on Appropriations S. Comm on Appropriations	15 days in advance		Active/App

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